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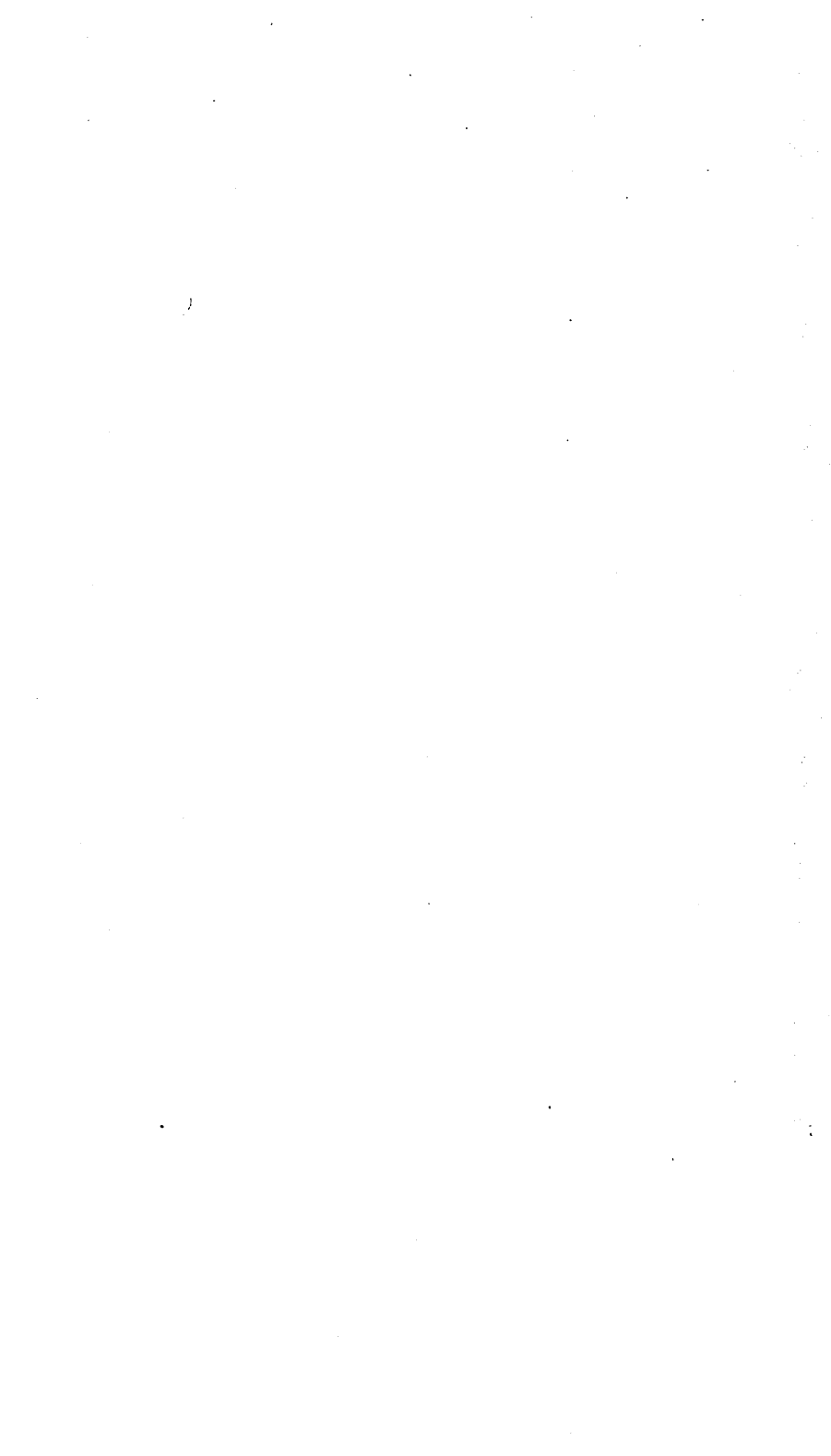
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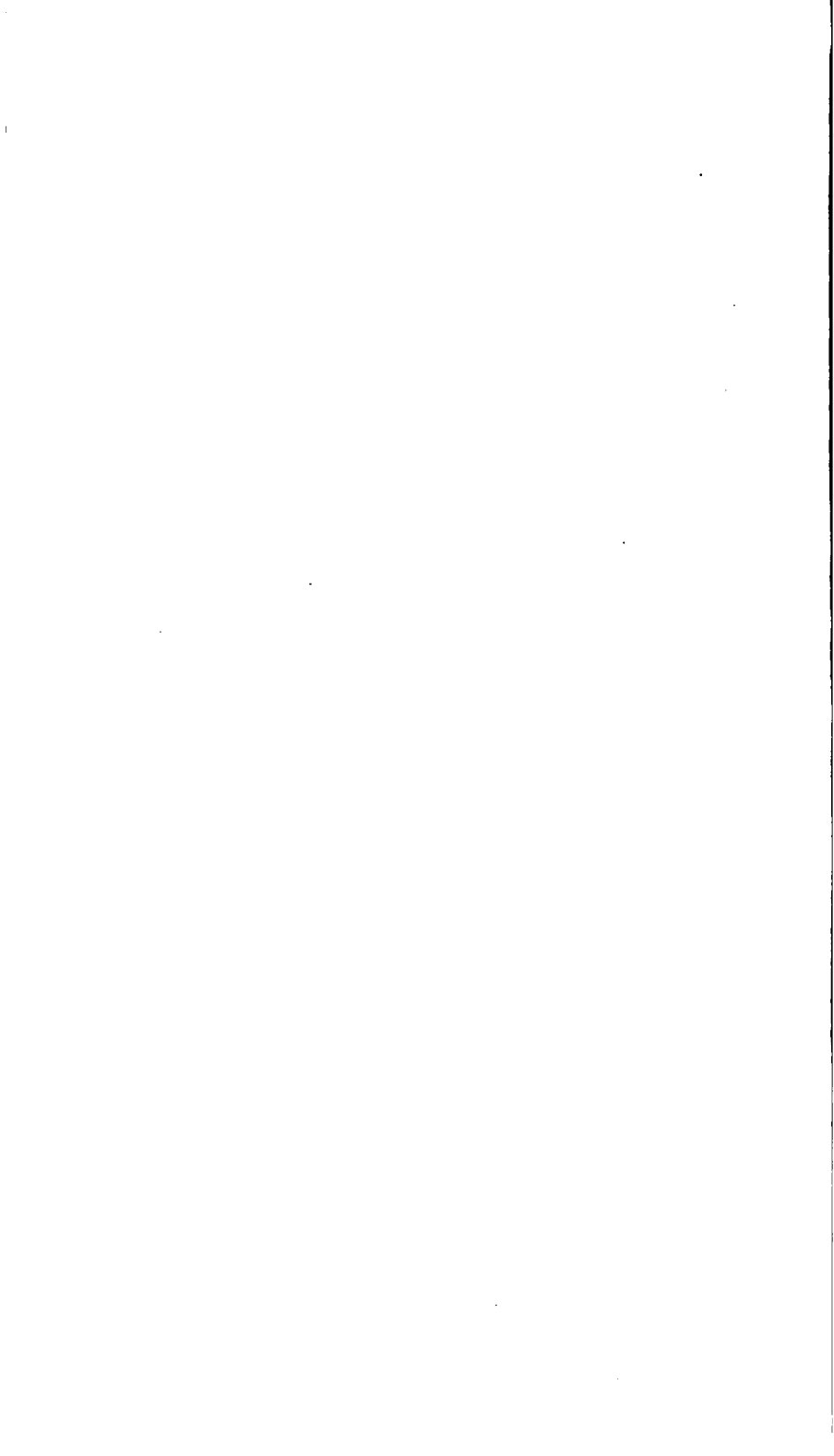


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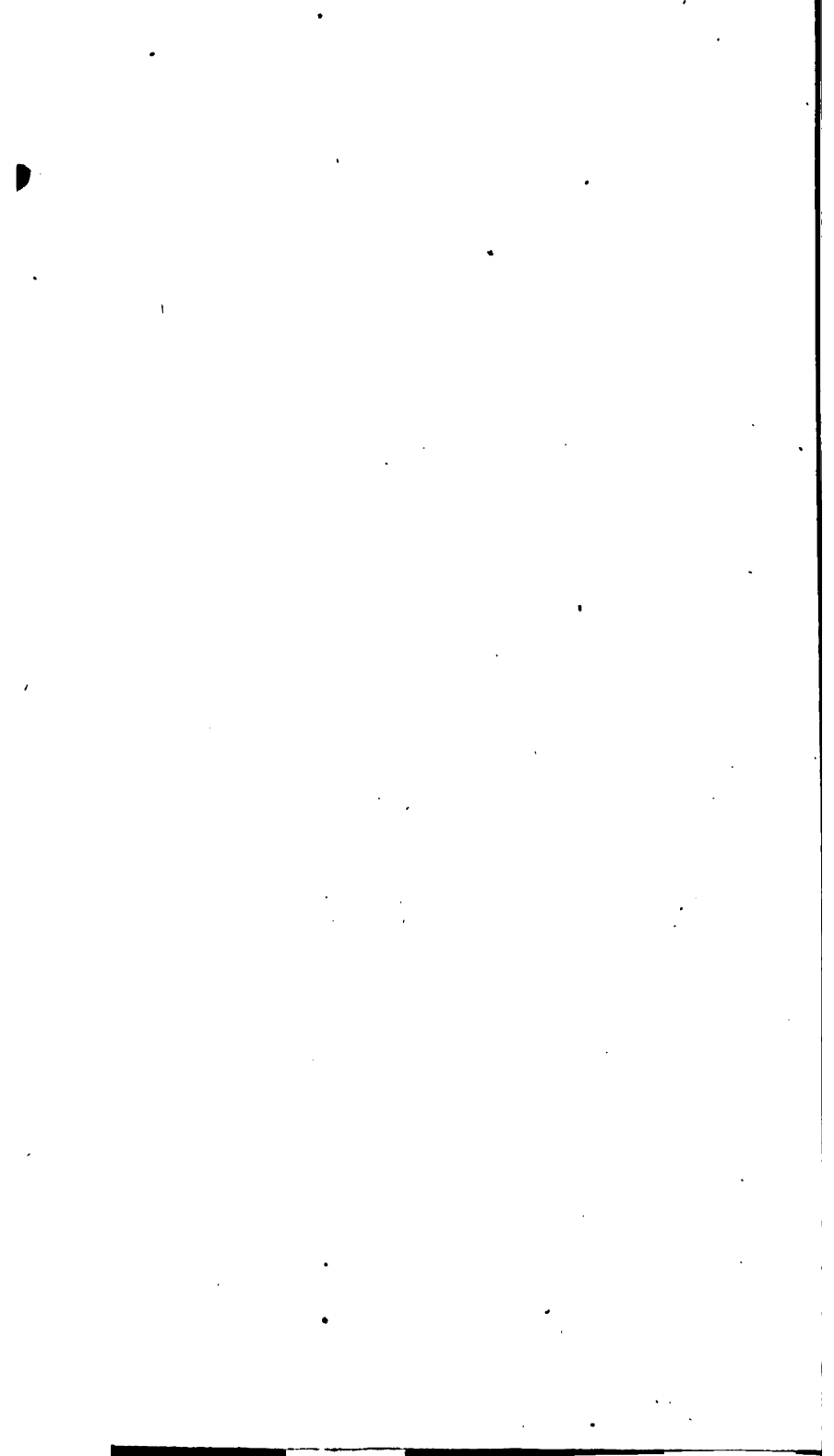
AN HISTORICAL SKETCH OF

THE MUNICIPAL CONSTITUTION OF

THE CITY OF

EDINBURGH,

&c. &c.



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AN HISTORICAL SKETCH OF

THE MUNICIPAL CONSTITUTION OF

THE CITY OF

EDINBURGH;

INCLUDING

THE SET OF THE BURGH AS ESTABLISHED IN 1583, AND
AMENDED IN 1730; WITH THE ACTS OF PARLIAMENT
AND COUNCIL RELATING THERETO, AND

LISTS

OF THE ALDERMEN AND LORD PROVOSTS, FROM THE EARLIEST TIMES TO THE
YEAR 1583,—THE SEVEN MAGISTRATES FROM 1583 TO 1729,—THE ENTIRE
COUNCIL FROM THAT PERIOD,—THE DEACON CONVENERS FROM THE INSTI-
TUTION OF THAT OFFICE IN 1578,—THE REPRESENTATIVES IN PARLIAMENT
FROM THE UNION,—THE MASTERS OF THE MERCHANT COMPANY, FROM ITS
FIRST ERECTION IN 1681,—AND THE MODERATORS OF THE HIGH CONSTABLES
FROM 1707, TO THE PRESENT TIME.

TO WHICH IS ADDED,

AN HISTORICAL ACCOUNT OF THE BLUE BLANKET, OR THE
CRAFTSMEN'S BANNER; CONTAINING THE FUNDAMENTAL
PRINCIPLES OF THE GOOD TOWN.—BY ALEX. PENNECUIK.

ILLUSTRATED WITH THE ARMS OF THE CITY, THE MERCHANT COMPANY,
AND THE FOURTEEN INCORPORATIONS.

EDINBURGH:

JOHN ANDERSON, JUN. 55, NORTH BRIDGE STREET;
WILLIAM HUNTER, 23, SOUTH HANOVER STREET; AND
DAVID SPEARE, 14, WEST REGISTER STREET.

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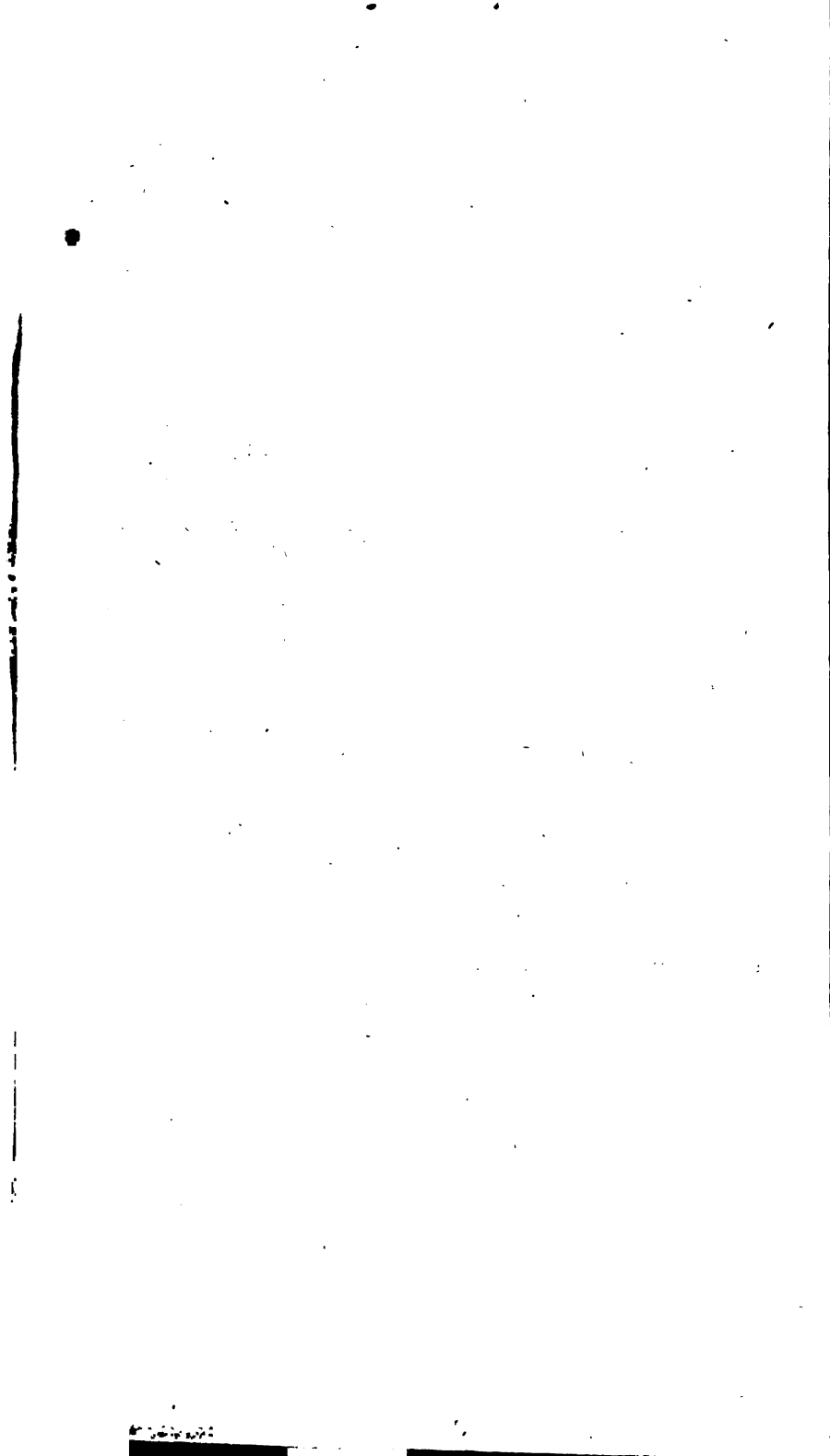
OF THE CITY OF EDINBURGH,

THIS VOLUME

IS, BY HIS LORDSHIP'S PERMISSION,

MOST RESPECTFULLY DEDICATED.

EDINBURGH, 21st *September* 1826.



P R E F A C E.

THE preliminary Introduction, Epistle, or Preface, had its rise with the earliest dawn of Modern Literature, and is now so fully established by universal custom, from the origin of printing to the present day, that a book without one would seem as defective as an army without pioneers, or a body corporate without its officer. Its usual office is either to deprecate censure, or solicit praise; but as the compiler of the present volume, has upon this occasion little to fear from the one, and as little to expect from the other, he has perhaps little need for its services; well knowing that if his labours are found useful or amusing, the book will sell and be read; but on the contrary, if otherwise, it will remain as dead lumber upon the booksellers' shelves; and deeming this a sufficient reward or punishment, is willing to abide the issue.

In compliance however with custom, a due observance of which constitutes good manners, he may not be out of place in observing, that he has done the best his time and limits would permit ; being nevertheless well aware, that his subject is capable of great and beneficial extension. The early history of the Constitution of Edinburgh is like a garden run wild, so overgrown with weeds and brambles, that it is quite impossible to trace with accuracy its original compartments ; or like the town itself, so changed by the alterations and improvements of successive ages, that we can now only affirm with certainty, that it originally stood where a part of it still does, upon the ridge of a hill. In tracing its original features, he has endeavoured to make use of such land-marks as the all-devouring hand of time has yet left standing, and the occasional remarks of subsequent writers ; but with all these helps, as will be seen, much is still left to be supplied by conjecture. In continuing its history, having no particular object in view, he has endeavoured to tell a plain tale in plain words ; narrating facts as far as he could come at them, in the regular order in which they occurred, rather in the style of a chronicle than a history, without bias to any one party or another ; and if he has deviated from this principle in any

single instance, can only excuse himself by affirming that it was quite unintentional.

The Set of the Burgh, with the Acts of Parliament and Council relating thereto, is printed *verbatim* from the last authentic copy published by the Magistrates, reference being however occasionally made for greater accuracy in the orthography to an earlier edition.

In the Lists of Magistrates, heads of corporate bodies, &c. (which form perhaps the most original and interesting part of the work, nothing so complete of its nature having before appeared in print,) to avoid errors arising from the inaccuracy of transcribers, recourse has for the greater portion been had to three several copies, which have been carefully collated with each other, in all of which there were occasional slight variations; in such cases, that reading has been preferred in which either two were found to correspond.

The Historical Account of the Blue Blanket is printed *verbatim* from the original edition, with the addition only of some few notes as specified in its Preface. The Arms of the fourteen Incorporations have all been copied from Maitland, with the exception of the Skinners, which has either been given incorrectly by him, or altered since.

These latter portions of the book being the

work of others, he is of course only answerable for their accuracy when compared with the editions from which they were printed. So far he trusts that he has done his duty as a faithful editor, and having given this account of his labours, now takes his leave.

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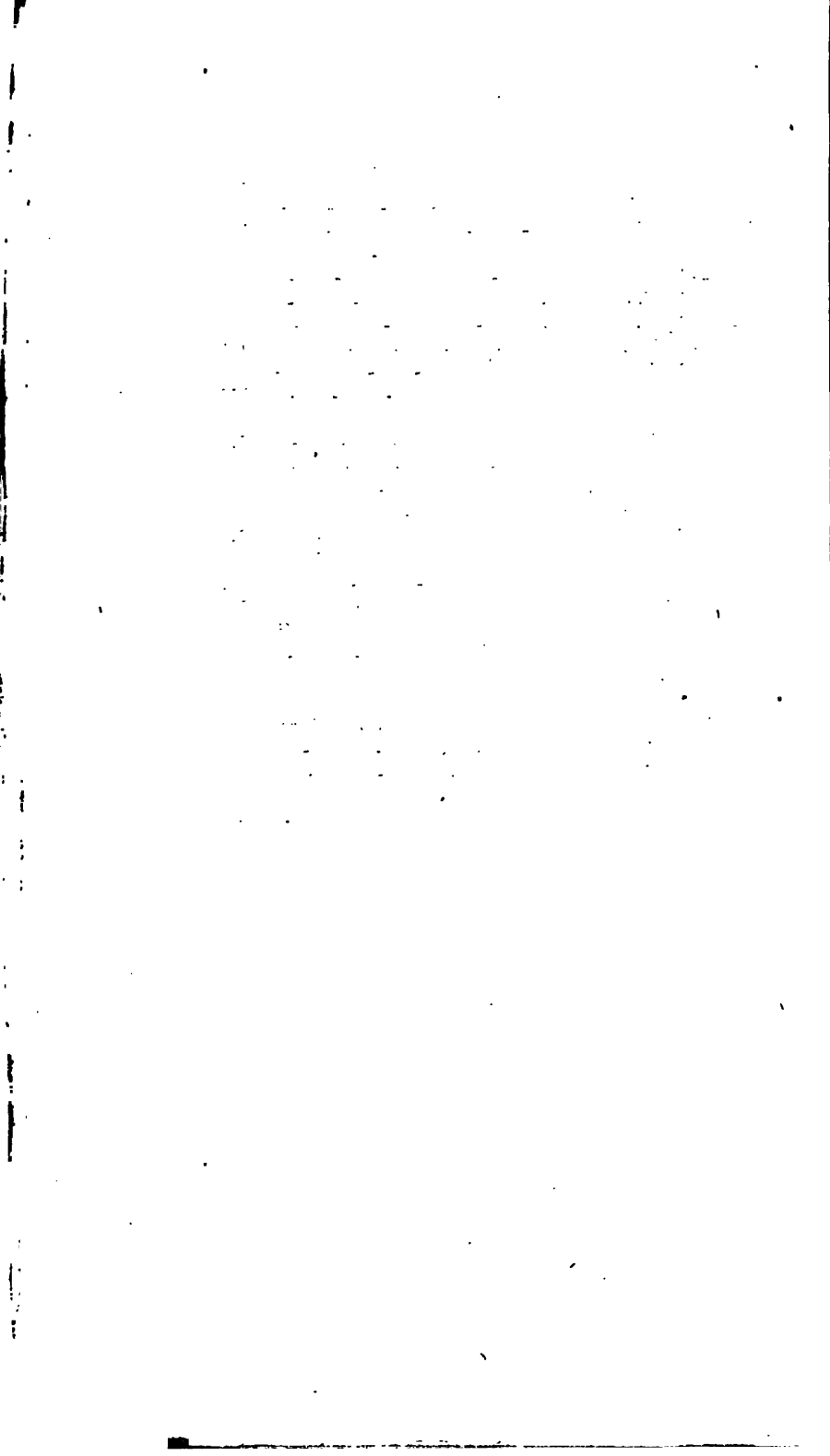
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AN
HISTORICAL SKETCH
OF THE
MUNICIPAL CONSTITUTION OF
THE CITY OF
EDINBURGH.

As there are no public records now extant in Scotland prior to the reign of King Robert I. we cannot ascertain the precise era at which Edinburgh was first erected into a royal burgh. That it was one of the first in Scotland, appears evident from its having been one of the four burghs which composed the chamberlain's Air or Court, which was annually held at Haddington. That it was a royal burgh in King David the First's time, is likewise probable, from his styling it "*meo burgo*;" and as to all appearance we are indebted to his reign for all the laws in *Regiam Majestatem*, entitled, *Statutæ Gildæ*, and *L. L. Burgorum*, and are farther informed by Fordun, that under his sage administration public buildings were erected, towns established, and agriculture, manufactures and commerce promoted, it may be fairly conjectured that

he was the original founder; and this the rather, as he undoubtedly founded the monastery of Holyrood-house, anno 1128, in its immediate neighbourhood. The loss of its original charters, equally deprives us of any knowledge of its earliest form of government. The Municipal Constitution, as now established, is the accumulated work of ages.

The first magistrate of whom we find mention, is William de Dedyk, otherwise William de Fotherig, who, under the designation of Alderman, with eleven other burgesses, signed the Ragman Roll in 1296, and swore allegiance to King Edward I. of England; and the first person mentioned in a list, extracted from old charters, by Walter Macfarlane of that ilk, as having borne the title of Provost, was John de Quhitness, anno 1377. But what seems rather remarkable, is, that the Act of King James III. in 1469, nearly a century after, appointing a new manner of election in burghs, makes no mention of the title of provost. It is, however, more than probable, that the chief magistrate was originally entitled Bailiff, this being the more general designation of the king's officer for the receipt of the revenues in royal burghs, who was likewise constituted a magistrate to administer justice to the people. But however this may have been, the bailiffs, or bailies as they are now called, seem only to be deputies or assistants to the provost, being jointly and severally his deputy, sheriff, coroner, and admiral within the city and liberties of Edinburgh, and as such hold courts wherein are tried causes, both civil and criminal, other than in capital cases. When they were so constituted, or what their original number was, whether four, as now established, or otherwise, no where appears.—The next in rank is the dean of guild. This

officer derives his title from being the head or judge of the fraternity of merchants, commonly called the guildry, which does not appear to have originally been an incorporation, but rather a branch of the general community of Merchants in Scotland, who were invested with peculiar privileges. Our loss of early charters prevents us from ascertaining at what period this society had its rise, although in all probability its origin is at least coeval with, if not anterior to, the first erection of the burgh. The laws in *Regiam Majestatem*, entitled *Statute Gildæ*, would seem to confirm this conjecture; and we know that similar societies, and under a similar name, existed both in England, and upon the Continent, at a very early period. In London, for example, where no such society now exists, they have still their Guildhall, where all public meetings of the citizens are held, which was built in 1411. Much conjecture has been hazarded upon the etymology of the name Guild. The most probable appears to be that of Bailey, who derives it from the Saxon word *zild*, a tribute, or *zildan*, to pay; because each of its members was to pay a tax towards the support and charge of the company; but from whatever source the name may have been derived, in all likelihood this was the society to whom the charter was originally granted, it having apparently always been a requisite in the qualification for the magistracy, that the candidate should be a member thereof; the other portion of the community, styled Burgesses, being, as it were, a graft thereon, arising from persons residing in the burgh, and exercising handicraft and other trades, but neither participating in all its privileges nor its government, although allowed a voice in the election of its magistrates. The title of Dean, as applying to this officer, is equally obscure in its origin; he seems to have

always held courts, and had the charge of the funds arising from the fees of admission into the society, which were designed for charitable purposes*. The following account of his powers and office, in the fifteenth and sixteenth century, is quoted from a recent pamphlet, the writer of which asserts his information to have been drawn from a long and tedious search into the records of Council, the Advocates and College Libraries, and the most ancient histories of notoriety, and two Acts of Parliament; but with the exception of the latter, does not quote any specific authority. "By the first Act, dated the 21st day of July 1593, cap. 180. relative to the Dean of Guild's jurisdiction, and for settling all actions and matters concerning merchants; betwixt merchant and merchant; and betwixt merchant and mariner; and in addition to his powers, and for the more ready inbringing of the town's dues arising from merchandise, trading in shipping to Germany, and other ports in the Low Countries, he is moreover created a justice of the

* The earliest record of the Guildry of Edinburgh is a transcript from a former volume, which the transcriber calls "the first Gild Buick," and appears to have been written in 1483. The first entry, which is taken from two different parts of this former book, and is dated in 1487, states the separate fees of admission for Burgess and Guild-brother. Another is a statute enacted by Alexander Lauder, Provost, William Fowler, Dean of Guild, and their Council, dated Mar. 28. 1507; and a subsequent one is a Seal of Cause, erecting the fraternity of the Gild into an Incorporation, with power to elect "a Maister of Facultie, certaine Officiairis and Counsaloures as yai think maist expedient," with other privileges, which is dated Dec. 10. 1518; but this Charter was either not enforced, or has gone into desuetude; and it is remarkable that no mention is made in it of the Dean of Guild, although he is acknowledged in his official capacity eleven years previous, and it is expressly provided, that the master shall not bear any common office in the town for the year in which he is chosen.

MUNICIPAL CONSTITUTION OF EDINBURGH. XXI

“ peace, with the power of mulcting all persons, mer-
 “ chants, or trades, addebted to the town, or carrying
 “ on trade without a licence; shutting the shops of
 “ those who sell foreign goods without payment of the
 “ higher duties; making lock-fast doors where foreign
 “ goods are secreted, either in Edinburgh or Leith,
 “ ‘for payment of the higher duties,’ now known by
 “ the name of the shore dues. His other powers and
 “ functions are well known from daily practice. These
 “ few premises are here inserted, to shew his powers
 “ over those who obtain the freedom of the city by the
 “ *minor* payment of the simple ticket, or the burgess;
 “ or the *higher*, called the gild or guild. And it is
 “ proper to remark, that the former paid an illusory
 “ sum at his entrance, and also an *oukly*, or *weekly*
 “ *penny*, effeiring to what the oversman of his craft
 “ ascertained him to have wrought for, the preceding
 “ week. These overseers were sworn to make a faith-
 “ ful report to the dean of guild. The last, namely,
 “ the holder of a ‘gild or guild ticket from the dean
 “ ‘of the church,’ was of a higher order, and many of
 “ them men of family, as possessing funds, and sailing
 “ in merchandizing to Germany, or the towns in the
 “ Netherlands, and quite unconnected with the *gutter*
 “ *bluides*, or Edinburghers, who paid heavy duties on
 “ importation of, or for dealing in, foreign commodi-
 “ ties, such as wine, silk, velvet, wax, plumb-damisses,
 “ spiceries of all sorts, claith of silk, goud, (gold), or
 “ any foreign goods, for which a *guild ticket* was ob-
 “ tained from the dean. And another Act was pass-
 “ ed, (if it was possible that his powers could be great-
 “ er), empowering him to take order, or in the lan-
 “ guage of the present day, to have full controul and
 “ coercion over citizens of the aforesaid description.

“ Much has been said, and much curiosity excited, as
“ to the term Dean of Guild; and we have often heard
“ the hacknied toast of the *Dean of Guild and his Bre-*
“ *thren*, which has hitherto been involved in as much
“ obscurity as the *mason word*, the *benefit of clergy*; or
“ the origin of the office of *Lord Justice Clerk*; there-
“ fore to gratify the public, they shall be indulged
“ with the origin of the first title.

“ So early as 1460, we see from the records, that
“ there were “ Merchandis trafficking in schipping to
“ Germany, and the towns in the Low Countries,”
“ such as Gueldres, Ypres, and many other maritime
“ towns.

“ These were not really citizens of Edinburgh, but
“ on the contrary second and third sons of families of
“ rank, some of whose descendants are now freeholders
“ in the Counties of Edinburgh and Fife. Can it be
“ supposed, that even the whole of these, commonly
“ called *Gutter Bluides*, who traded at that time, or for
“ an hundred years thereafter, could freight a ship?
“ No! but about a century subsequent to 1460, they
“ gained some strength in finances by their industry,
“ and thereby dealt on a greater scale. At that time
“ the Reformation (which is well known to all readers,)
“ was effected in Germany through the industrious
“ zeal of Martin Luther and John Calvin; and shortly
“ thereafter, the glorious Reformation of this country
“ was happily brought about under the auspices of the
“ celebrated John Knox.

“ On the dawn of that eventful era, the inhabitants
“ of Germany, and what is understood by the other
“ Low Countries, were jealous about having dealings
“ with any shipmaster who entered their ports, afraid
“ of being contaminated by the Roman Catholic reli-

“ gion; and even when they got in their cargoes, on
 “ leaving their harbours they were spoliied, or in
 “ other words robbed. This led them to apply for
 “ protection to the King of France, and also to the
 “ Emperor of Germany; but all would not do. They
 “ were at the same time informed, “ they must have
 “ a licence from a worshipful and dignified man;” this
 “ was the *Dean of Edinburgh*, under the Bishop; and
 “ accordingly thereafter, they applied to the Dean of
 “ Edinburgh, and after obtaining a cocket for sailing,
 “ bearing that the King’s and Gude Town’s dues were
 “ paid, they forthwith proceeded on their voyage.

“ This licence or ticket from the Dean bore, that
 “ they were men fearing God, and of the true Protes-
 “ tant religion, then publickly professed in this king-
 “ dom, beyond suspicion: “ On the contrarie that they
 “ could *win and tine*,” that is to say, that they were
 “ what at that time was termed *substantious* men; and
 “ thereafter they had free ingress and egress.

“ Now as being the Dean, he was thereafter, (as
 “ having the controul over the money, or gude town’s
 “ dues,) called the Dean of the Gelt, which every
 “ reader of antiquity well knows, goes for money in
 “ Germany, Holland, and the Low Countries. The
 “ term *gelt*, at a subsequent period, became *gild* and
 “ afterwards *guild*; and since that time to the present
 “ day, it is termed the Guild ticket.

“ We see also by the records of Council, that when
 “ they ‘cam hame,’ they were styled by the townsmen
 “ of Edinburgh, the Gelders, and looked up to with a
 “ higher degree of respect than those holding the mi-
 “ nor ticket called the *single Burgess ticket*, who were
 “ only allowed to deal in the commodities of this coun-

“ ry, such as butter, cheese, eggs, nails, brinstane, “ wild fools, aqua vita, oil, &c.”

If this writer's authorities were good, it would appear that the Dean of Guild was originally Dean of Edinburgh; but it may be remarked, that his derivation of the term Guild is both too recent, (a Dean of Guild having been chosen at Aberdeen in 1428,) and too far fetched; and in answer to his assertion, that these merchants were not citizens of Edinburgh, it may be asked, If so, by what right did they interfere in its government, and become its Magistrates? the qualifications for which having apparently always been that they should be members of the Guildry*, and rated in the stent book as possessing a place of business in the town.

It may be also observed as a well-authenticated fact, that the citizens of Edinburgh purchased the Port and Mills of Leith, from Robert Logan of Restalrig, in 1329; and if there were no merchants then existing in Edinburgh, what could have been the intent of such a purchase?

The chief business of the Dean of Guild and his court of assistants, now, is the granting the freedom of the town, both by the single or Burgess ticket, and the

* I am aware that Pennecuik, in his History of the Blue Blanket, asserts this to have arisen from a foolish request made by a Deacon Convener, to King James V. but, as there is no proof of such an office being then in existence, and he quotes no authority, am inclined to believe his whole story of the rescue of King James, and subsequent request of Convener Cuthbert, &c. to be a mere fiction, coloured by the existence of such a place as Cuthbert's well, which more probably derived its name from being dedicated to the saint so called.

higher or Guild ticket; the superintendence of all buildings, public and private, by compelling the owners to repair or pull them down, when necessary to prevent accidents; or adjusting disputed claims where encroachments in new erections are attempted; the controul of weights and measures, &c. &c.

The only other officer who is also a Magistrate is the Treasurer, whose office, from its very nature, must have originated with the first erection of the Burgh.

To these seven Magistrates, assisted by a Council, its whole affairs seem to have been for a considerable period entrusted; but what the original number of that Council was, or when their aid was first required, does not appear.

In all probability, as before observed, the Magistrates were originally elected from the Guildry, for in 1508 we find the holders of single Burgess tickets, then erected into separate Incorporations, petitioning to be represented, and seeking the privilege of being elected into the Magistracy. At this period, therefore, the whole Council, whatever number of persons it may have then consisted of, was certainly composed of merchants or Guild-brethren only, with the exception perhaps of the Provost, who being frequently a man of rank, it may be doubted whether or not he was a member of either class of the community. From whatever body taken, however, the Magistrates at least seem, if not originally appointed by the Crown, to have been always chosen by the free suffrage of all the Burgesses, but in what precise manner does not appear, until 1469, when the tumultuary proceedings in electing Magistrates of Burghs, had been such, that an Act of Parliament was passed, by which this mode of election was abolished, and their constitution in other respects

new-modelled. No set of Magistrates were to continue longer than one year in office; the old Council of each Burgh was to choose the new; and both together, assisted by a tradesman chosen out of each craft, had the appointment of the succeeding Magistrates, whereby the Guild-brethren or Merchants, as individuals not claiming to be represented as a particular craft, were deprived of any voice in the election. The clause ordaining this method of proceeding is as follows: "*Item*,
" Touching the Electioun of officers in Burrows, as
" Alderman, Baillies, and other officers, because of
" great contentioun zeirly for the chusing of the samine, thro' multitude and clamour of commons,
" simple persons, it is thought expedient that na officers nor Counsel be continued after the King's
" lawes of Burrows further than on Zeir, and that the
" chusing of newe officers be in this wise, that is to
" say; That the Auld Counsel of the Town sal chuse
" the Newe Counsel, in sik number as accordis to the
" Town, and that the Newe Counsel and the Auld in
" the Zeir aforesaid, sal chuse all officers pertaining
" to the Town, as Alderman, Baillies, Dean of Guild
" and other officers; and that the crafts sal chuse on
" person of the samine craft that sal have vote in the
" said Electioun of officers for the time, in likewise
" Zeir by Zeir."

The Companies of Arts, or the Trades as they are now called, derived their origin, or erection into bodies corporate, from an Act, or Acts of this Council, and afterwards requested to be admitted by their representatives into the body which first gave them existence^b. None of their charters bear an earlier date

^b Council Reg. v. l. p. 26.

than 1475^c, and the first time they sought to be so represented was in 1508. At that period, they desired to have six or eight of their number received as representatives, and that they might be declared capable of being elected into the Magistracy; to which demands they then received this remarkable answer, "That the Council would make no innovation upon the Government of the Town, without advice from the King and Parliament^d." At what subsequent period their representatives were first admitted, is now uncertain.

The powers of Handicraftsmen seem to have been, for a considerable period, extremely fluctuating throughout all Scotland. In 1424, James I. empowered them to elect a Preses^e for their different branches, who was called deacon or kirk-master^f. In 1426, only two years after, this office was utterly abolished, as being of general prejudice to the nation, and the former meetings of the deacons condemned as the assemblies of conspirators^g. In 1457, it was, however, restored with respect to Goldsmiths, for the purpose of inspecting their work, and ascertaining its standard fineness^h, and soon after became again general among the different artificers. In 1469, each of the Crafts being empowered to choose one of their number, who was to assist at the election of the Magistratesⁱ. In 1493, some dis-

^c Maitland, B. 4. ^d Council Reg. v. 1. p. 26.

^e Ja. I. parl. 2. c. 39.

^f Probably from his having the charge of monies, given in Catholic times to found altars, each trade having their patron saint.

^g Ja. I. parl. 6. c. 86.

^h Ja. II. parl. 14. c. 65.

ⁱ Ja. III. parl. 5.

turbances having arisen, the office of deacon was checked as being dangerous and the cause of great trouble in burghs, they being then required to confine themselves allentirely to the inspection of the work performed by their respective crafts^k; and in 1555, the office was again abolished entirely, as the cause of commotions and unlawful combinations^l. This last statute has never since been expressly repealed, and when or how the office of deacon was again revived does not appear.

It is certain, however, that in 1552 there were two Craftsmen in the Council, which then consisted of twelve; probably the Lord Provost, four Bailies, Lord Dean of Guild, Treasurer, three Merchants, and two Craftsmen; which latter appear to have held precisely the same rank and office with the present Trades Councillors^m.

At the commencement of the Reformation, Queen Mary of Lorraine, then Queen Regent, with the view of obtaining Magistrates favourable to her cause, sent an order to the Town-council, on the approach of the Michaelmas election 1559, requiring them to admit the votes of no fewer than eleven deacons of crafts, in every step of the electionⁿ; these, together with the two Councillors who were already members, would have thrown the election entirely into the hands of the Trades. This order, besides being a palpable stretch of arbitrary power, advanced a manifest falsehood in asserting, that the Deacons of Crafts formerly had a right to vote in all the steps of burgh elections, whereas, even by the statute of 1469, (apparently repealed by that of 1555), it

^k Ja. IV. parl. 4. c. 43. ^l Mary, parl. 6. c. 52.

^m Rec. of Conv. of roy. bur. Ap. 4. 1552. ⁿ Council Reg. v. 3. p. 24.

was merely provided, that the Craftsmen should have a voice in choosing the Magistrates. This order further alluded to some restitution of their privileges, which had been made to the Trades in 1556. What the nature of this act of restitution was, or by whom passed, does not appear; but in all probability it some way or other related to the office of deacon, as, from the order now sent, notwithstanding its total abolition by Parliament in 1555, we still find that office to be in existence. The Council behaved upon this occasion with great spirit and firmness: they first desired the deacons who presented the letter to withdraw, until they had deliberated upon its import, and having recalled them, gave for answer, "That the Council could yield no obedience to the order, for it was contrary to Act of Parliament^o." In 1582, however, little more than twenty years after this transaction, the Trades had obtained such footing in the Council, that the mutual squabbles between them and the Merchants filled the city with tumults, till at length both parties, with a view to obtain a decisive settlement, referred their various claims and differences to King James VI. by whose decision or Decreet Arbitral, the Municipal Constitution or Sett of the town was established upon nearly the same footing which it still retains, notwithstanding the continued struggle the Trades have now maintained for upwards of two hundred years since that period, with the view of augmenting their weight and influence in the administration of civic affairs. By this decret, the Town Council was appointed to consist of the same number of persons, Merchants and Trades, that it does at present; the only important advantage that the

^o Council Reg. v. 3. p. 24.

ed its rescission Oct. 4. 1664; and continued provost for several years successively^q.

No sooner, however, was peace established by the restoration of King Charles II. than the contest between the Merchants and the Trades was again revived. The objects of complaint then were, that the provost, instead of sitting at the Council board, and giving his suffrage *viva voce*, withdrew and voted by proxy^r. The Trades claimed as a privilege, that the extraordinary deacons should vote in the election of the baron bailies, which was denied them, and protested against the election as illegal, the provost and treasurer having been elected for several years successively. This protest was laid before the Lords of the Privy Council, by whom the election was sustained, and the conduct of the Trades condemned as dangerous; and tending to sedition. March 4. 1673, a majority of the Town Council seem to have restored the act, prohibiting the provost, &c. from remaining in office longer than two years together, notwithstanding which, Sir A. Ramsay was again re-elected at the Michaelmas following; but proceedings having been either then or previously instituted against him by Mr F. Kinloch, and others, old Magistrates, before the convention of Royal Burghs; so loud and well founded a clamour was raised thereby, that in concordance with the advice of his great friend the Earl of Lauderdale, he shortly thereafter demitted both his offices of Lord Provost and Lord of Session. A process of declarator of privileges having been raised in the Court of Session, and a decret obtained, an act of Council was passed, Oct. 1. 1678, in compliance therewith, where-

^q Council Reg. 1664.

^r Council Reg. v. 2k. p. 53. Rec. of Privy Council. Nov. 1. p. 58. In all steps of the Election, the whole parties entitled to vote must be present; either personally or by proxy, these proxies being chosen by the members who happen to be present.

by the rescinded prohibitory act of 1658 was again enforced, and its contraveners subjected to heavy penalties, the electors to be reputed infamous as invaders of the liberties and privileges of the burgh, and fined one thousand merks Scots each, and the elected, provided they accept or attempt to execute any office to which they may be thus illegally appointed, to be fined five thousand merks Scots, all elections contrary thereto being declared null and void ; and amongst other provisions for the better observance of this act, every member of the Council, ordinary and extraordinary, is required to take an oath previous to each annual election, that he will do nothing prejudicial thereto, directly nor indirectly. At Michaelmas 1674, there was no election of magistrates ; Tuesday the 29th September, being Michaelmas day, having been fixed upon, as was supposed with some sinister design, in place of the Tuesday following, which is appointed by the set for the day of election, the business was countermanded by a mandate from King Charles II. and the persons then in office continued so until the 27th August 1675, when, by a second mandate from the Crown, four new bailies were appointed previous to the election of that year. Six weeks after the Michaelmas election 1678, three of the new bailies refusing to take the oath of supremacy and allegiance, then first tendered, resigned their office, and others less scrupulous were elected in their place.

The peculiar privileges of the guildry having become common to all classes of the community who chose to purchase their freedom thereof, as declared in the decret arbitral of 1583, a separate incorporation was erected by a royal charter from King Charles II. dated October 29. 1681, by the stile and title of *The*

Company of Merchants of the City of Edinburgh, whereby they are empowered to have a master, twelve assistants, and a treasurer, to be chosen annually, and a clerk and officer to continue during pleasure, a house or hall, the right to make bye-laws for the good of the community, to be approved by the Town-Council, &c. &c. From this body the Magistrates and Merchant Councillors are now generally, if not always chosen.

In 1683, the Trades obtained an act of Council for the change in the manner of electing the deacons, before referred to, the whole of its members being upon this occasion at first unanimous^a; but it would seem that the Merchants soon repented the concession they had made, for in less than six months after, the Trades found themselves under the necessity of commencing a process before the Court of Session, to obtain a legal sanction for this encroachment. The judges were very much divided in opinion; but in 1684, a decision was finally pronounced in their favour by a majority of one vote only^t.

The Convention of States assembled at Edinburgh, by circular letters from the Prince of Orange, afterwards King William III. having declared that King James VII. had forfeited his right to the Throne, and the whole civil authority of the Country thus become exauctorated, voted instructions for all the Royal Burrows to choose a new set of Magistrates and Councillors by a poll. In compliance with this order, a new election was made in the manner directed by all the Burgesses of Edinburgh, bearing Scot and Lot of the whole twenty-five members of the Council on the 11th of April 1689, the day on which King William

^a Fountainhall's Decisions, v. 1. p. 139. Council Reg. Oct. 17. 1683.

^t Fountainhall's Decisions, vol. 1. p. 275.

and Queen Mary were crowned at Westminster; namely, Sir John Hall, Provost, Charles Charters, 1st, James MacLurg, 2d, Andrew Bruce, 3d, and John Robertson, 4th Bailies; Thomas Crawford, Dean of Guild; William Menzies, Treasurer; Archibald Hamilton, old Provost; James Justice, David Spence, Thomas Wyllie, and Duncan Mackintosh, old Bailies; Alexander Hamilton, old Dean of Guild; Michael Allan, old Treasurer; George Clark, Archibald Mure, and Robert Blackwood, Merchant Councillors; George Stirling and John Reid, Trades Councillors; and John Borthwick, goldsmith; Robert Wilson, furrier; Alexander Thomson, hammerman; James Anderson, baxter; William Kerss, flesher; and Alexander Sword, weaver.

In 1700 Mr Thomas Fisher was appointed as an assistant to the Treasurer, in the collection and management of the City revenue, with the title of Chamberlain; but this office being subsequently deemed superfluous, was abolished or discontinued about nine years thereafter.

The Right Hon. Adam Brown, Lord Provost, having died on the 17th of October 1711, a few days only after his second election to that dignity, was interred on the 18th with great pomp and solemnity, the procession being attended by many of the nobility, the Lords of Council and Session, the Ministers, and all the civic Bodies, corporate or otherwise, his lordship's remains being carried to the grave by the Magistrates and Council in their robes.

At the Michaelmas Election 1716, Bailie James Clelland entered a protest upon the Council register against the election as being irregular, Bailie Charles Hope, who had only been third Bailie before, having

been elected first Bailie, in preference to him who had before filled the office of second.

The Council, having hitherto allowed the Provost mean and base privileges, such as, secret acknowledgements from those who obtained lucrative offices in the city, gratuities from all who obtained feus or tacks of land, houses, or shops, and other branches of its revenue, &c. &c. which, far from supporting his station with becoming dignity, on the contrary tended to render him mean, mercenary and rapacious, in 1718 passed an Act by which this infamous practice was abolished, and an annual salary of L. 300 granted in its stead.

In 1721, the Trades made another effort for the extension of their power, the success they met with in their cause relative to the election of deacons, having perhaps inspired them with hopes of some farther concessions, they pretended to be dissatisfied with the decree of 1684, and advanced greater claims; now insisting, that as one of their deacons had long borne the title of Convener, he ought to be received by the town in that character; to which the Council made answer, "That he was already qualified as deacon; and there was no mention of convener in the set." They further demanded, that the extraordinary deacons should be allowed to vote in the choosing of all proxies, and insisted that no committee could be legally appointed by the Council without the concurrence of the extraordinary deacons, and that the convener was officially a member of all committees.

These accumulated demands alarmed the Merchants, who brought an action before the Court of Session to set aside the decreet of 1684. The Trades, on the other hand, brought an action for having that decreet confirmed, and the various other privileges they now claimed determined.

This dispute was carried on for nearly ten years,

when both parties thought proper to submit their differences to the decision of Archibald, Earl of Islay, afterwards Duke of Argyle, who, in 1730, pronounced the decreet-arbitral, which, as explicative of the decreet of King James, in conjunction with the Acts of Council 1658 and 1673, now forms the established Municipal Constitution of the City of Edinburgh.

Whilst this affair was in agitation, great murmurs having been made, alleging that the town's property was dilapidated by improper grants of tacks and feus, an Act of Council was passed Aug. 12. 1726, whereby all such proceedings are prohibited; and it is provided, that no tacks of houses, shops, or cellars, shall in future be granted at a less rent than two-thirds of their actual value, nor feu disposed of, at less than its real value, to be ascertained by the oaths of respectable witnesses. Other regulations are also therein directed, for the due observance of which an oath is required to be annually taken by every member of the Council*.

And Jan. 24. 1729, another Act of Council was passed, regulating the office of Treasurer, whereby he is restrained from making any payment without a warrant signed by the Town Clerk, and required to certify thereon, that all bygone feu-duties, or compositions, are paid, previous to any charter or precept of *clare constat* being offered for signature.

In 1736, the city was threatened with a deprivation of its charters. A tumult, as it has been called, but, to speak more properly, a conspiracy, occurred in Edinburgh, equally remarkable for the art with which it was contrived, the dexterity with which it was executed, and the heavy load of vengeance which it drew upon the city. At the execution of Andrew Wilson, a

* This oath is not now taken, being rendered unnecessary by the Act of Parliament, 1822.

smuggler, in the Grassmarket, attended with no other disturbance than the boys pelting the executioner with stones, which was then common upon these occasions, John Porteous, captain of the City Guard, in the heat of passion, fired twice himself, and ordered his men to do the same, upon the assembled populace, which order being obeyed, six persons were killed, and eleven severely wounded. Porteous was prosecuted at the city's expense, convicted, and condemned. But Queen Caroline, then regent, indulged the criminal with a reprieve, at which the populace were enraged to a degree of fury, and, fired with jealousy and resentment, they resolved that even royal mercy should not rescue the criminal from their vengeance. Numbers assembled from different quarters, on the night previous to the day on which his execution would have taken place, had he not been granted a reprieve by the Queen. The clothes which appeared under their different disguises, as well as the conduct and deliberation with which their plan was executed, bespoke many among them to be superior to the vulgar, and that the violence they committed did not proceed from the rash and unpremeditated concert of a rabble. They surprised and disarmed the Town Guard, blocked up the city gates, to prevent the admission of troops, set fire to the prison doors, as they would not yield to the force of their hammers, and dismissed the prisoners, (Porteous excepted), whom they threatened with the tragical catastrophe which he dreaded. In vain did the Magistrates endeavour to quell or appease the ferment; they were pelted with stones, and threatened to be fired upon. Mr Lindsay, the member of Parliament, applied for aid to General Moyle, the commander of the forces; but neglecting, or not venturing to

carry a written order, was refused. In the mean time, the conspirators marched with lighted torches to the Grassmarket, opened a shop, took out a coil of ropes, for which they left the price; and after allowing Porteous to give to an acquaintance in trust the money he had about him, to be delivered to his relatives, proceeded to a dyer's post, near which the unfortunate persons were killed, and having reproached him with his barbarity, hanged him thereon; they then dispersed quietly, without committing any farther outrage or disturbance whatever. Information of this proceeding was received at Court with the utmost indignation, it being deemed a premeditated insult to the Government. Several expresses were dispatched to his Majesty, then at Hanover. A pardon was offered the offenders if they would discover their accomplices, with a reward of £.200 for each person so apprehended and convicted; but so faithful were the parties concerned to each other, that notwithstanding this high reward, and the great number that must have been engaged, not one of their names has transpired to the present day. It was resolved, however, to make the city feel the weight of ministerial vengeance; the town was even threatened to be deprived of its charter. April 1. 1737, the Lord Provost was taken into custody, and after nearly three weeks confinement, admitted to bail, when his Lordship, together with the four Bailies, were commanded to attend the House of Lords. Three of the Lords of Justiciary were likewise desired to appear, who, after a long debate respecting privilege, were ordered to attend at the bar in their robes, when an inquiry was made respecting the legality and justice of the sentence by which Porteous was condemned. A motion was made for having it declared erro-

neous, and several of the members scrupled not to censure both the verdict of the jury and sentence of the Court; both, however, were fully justified, and the motion dropped. But a bill was brought in for disabling Alexander Wilson, Esq. Lord Provost of Edinburgh, from enjoying any office, or place of magistracy, in that city, or in any part of Great Britain, and confining him to close custody for a full year; for abolishing the City Guard, and for taking down the gates of the Netherbow Port; which passed the House of Lords, notwithstanding a vigorous opposition from the Duke of Argyle, and many other noblemen, and was sent down to the House of Commons, where, however, it met with the keenest opposition in every stage, all the Scots members (one only excepted) exerting themselves to the utmost in defence of their capital. In its progress, it was altered in some of its essential circumstances. The clauses for imprisoning the Lord Provost, for abolishing the City Guard, and for taking down the Netherbow Port, were omitted; but in place of these, a fine of L. 2000, to be applied to the use of Porteous's widow, was imposed upon the city; and so altered, it was at last carried in the Committee, by the smallest majority possible, the numbers on the question, that the bill be reported as amended, being equal; but although it is customary for the chairman, when called upon, to give his vote on the side of mercy, he, on this occasion, gave the casting vote in favour of the bill. The Solicitor-General for Scotland, and Mr Erskine of Grange, were engaged in an appeal before the House of Lords, and refused leave of absence; had they been present, the bill would have been lost.

Lord Provost Wilson being thus deposed, Archibald Macauley, Esq. was elected in his place, 19th July 1737. and an Act of Council was passed, relative to this oc-

currence, appointing places of rendezvous for the different corporate bodies, and other societies, in cases of great emergency, where there was no time for previous concert, which is required to be read by the clerks of the Council, the fourteen Incorporations, the Merchant Company, and the Society of Barbers, and the Commandant, Preses, or Moderator of the Societies of Captains, Lieutenants, and Ensigns, Fire-masters, and Constables, before their respective bodies, at stated periods annually, under a penalty of Fifty Pounds Scots. The Clerk of the fourteen Incorporations, and the Society of Barbers, are also to make out lists of their Box-masters and Quarter-masters, and the Clerk of the Merchant Company, a list of their Master and Assistants, with their several places of abode, and give them in to the Clerks of the Council, within ten days after their election, annually. And the Clerks of the Council are required to add to these, lists of the Preses, Box-masters, and Quarter-masters of the Societies of Captains, &c. &c. and cause three copies to be exhibited in certain places, under a like penalty^a.

Errors having inadvertently crept into various writings granted by and to the Treasurer, for behoof of the City, an Act of Council was passed, Nov. 10. 1738, directing that in future no writings should be received or granted by him, without being previously revised, and marked by one of the City Clerks, who is to be answerable for any mistake that may occur therein. This Act is also required to be read annually.

The rebel army being in possession of the City at Michaelmas 1745, no election of either Magistrates or Council occurred; the whole were in consequence ex-auctorated by the lapse of the time for which they had

^a This Act is now in disuse.

vacant churches by the mode of patronage, and not by popular call, procured an Act of Council for applying to the convention of Royal Burghs for their authority, to abolish the sending up leets to the Council, and to give the Trades an uncontroled power of choosing their deacons. Certain of the Merchant members applied to the Court of Session, by bill of suspension, to stop the intended application to the convention of Royal Burghs, for these reasons, " That the resolution complained upon was not an Act of Council ; " for that the government of the City is vested in the " ordinary Council of Twenty-five, of whom thirteen " was declared to be a quorum, and that there were " not thirteen members of the ordinary Council present, when the pretended Act was passed. That " the Political Constitution of the City was already " established by decret-arbitral, and ratified. That " the deacons could only be looked upon as parties ; " and that the extraordinary deacons had no right to " vote. And lastly, that it was not in the power of " the Town Council to make any regulation for altering the constitution of the City ; nor indeed in the " power of any but the Legislature." Upon this application, the Court granted a temporary interdict of the resolution complained of. But the merits of the cause were not then determined, the Trades declining to follow their proceeding any farther.

In 1766, the City having greatly increased in extent, wealth, and population, and its additional revenue and expenditure rendering the office of Treasurer too difficult and laborious ; a motion was made by Mr Hogg, then holding that office, that a chamberlain, or factor, should be employed to assist him in the arrangement of his accounts. The Council referred the matter to a

Committee, who reported, "That they were unanimously of opinion, that it would be attended with the happiest consequences to have the City's revenue managed by a man of integrity and application, in the character of a chamberlain." The Report, after pointing out a variety of regulations for the due execution of the office, recommended, "That the chamberlain should be elected to continue during the Council's pleasure." The Council, with the Deacons of Crafts, Ordinary and Extraordinary, approved of the said Report and instructions, and thereupon unanimously elected and made choice of Hugh Buchan, writer in Edinburgh, to be chamberlain to the Good Town, in terms of, and agreeably to, the said Report and instructions. In whose person, therefore, this office, which had been abolished or discontinued since 1709, was again revived.

The salary granted to the Lord Provost, being now deemed inadequate, from the great rise which had taken place in every article of expenditure, an Act of Council was passed on the 9th of January 1771, by which it was altered from £.300 to £.500 per annum.

In 1774, the Magistrates and Council being accused of undue practices in the election of a member to serve in Parliament, caused a considerable commotion in the City. Having dined together as usual after the Michaelmas election, to conclude the evening, they proceeded to the Provost's house in Leith, where accounts of the dissolution of Parliament having been received a day or two previous, and measures concerted for nominating a representative at the consequent election, a letter ready written was produced after supper, expressive of their approbation of the conduct of Sir Lawrence Dundas, and their determination to support him by

the convention of Royal Burghs^u. To stop this application, the Lord Provost, John Dalrymple, Esq. and a majority of the ordinary Council, procured a bill of suspension, praying for an interdict. The reasons of suspension chiefly insisted on were, "That the vote
 " complained upon, of application to the Royal Burghs,
 " was not an Act of Council, for it was carried by the
 " help of the extraordinary deacons, or deacons not of
 " the Council, and that this was none of the cases specified in which these deacons were declared to have
 " a right to vote. That it was incompetent for the
 " Town Council to take any steps for altering the
 " constitution of the burgh; and that if such step were
 " at all to be taken, it ought to be, not by the Town
 " Council, who were the representatives, but by their
 " constituents, the different bodies represented, and
 " that the convention of Royal Burghs had no power
 " to alter the political constitution of a Burgh established as that of Edinburgh^v." In 1778, this cause was ably and keenly argued, and, after repeated deliberations, a perpetual interdict in the terms prayed for, was pronounced by an unanimous judgment of the Court^w.

The tumults in the city were so alarming on this occasion, that the Council, in order to prevent any serious mischief, passed an Act, reviving that made on occasion of the Porteous mob, but appointing other places of rendezvous.

A series of letters under the signature of Zeno, calling the attention of the citizens of Edinburgh to

^u Council Reg. Feb. 19. Mar. 19. 1777.

^v Printed Papers, Dalrymple against Stoddart, Sept. 27. Nov. 27. 1777, Feb. 12. and Mar. 3. 1778. in Adv. Lib.

^w Decreet of Session, Aug. 7. 1778.

the subject of reform appeared in the public papers in 1782-3, and a similar series under the signature of Civis, &c. at Aberdeen, appearing about the same time, gave rise to a general correspondence amongst the burghs to effect the object in view; and a convention of delegates from thirty-three of the royal burghs met at Edinburgh, in March 1784, having been invited thither by letters from a committee of burgesses: other burghs afterwards acceding to this convention, made the total number which sent delegates 54. The individuals deputed were not always burgesses of the several towns, but occasionally gentlemen residing in their neighbourhood, or practitioners in the law, who were selected for their abilities, or from the nature of their avocations leading them to the spot. Their first step was to appoint a committee, with powers to draw up a declaration of their grievances, and of their constitutional right to seek redress by an application to Parliament, whose report was received and acceded to. A committee of the burgesses of Edinburgh next presented draughts of two bills, which were also remitted to a committee; but these being reported too general in their nature, and the object in view requiring time and deliberation, a standing committee was appointed to draw up others more suitable, and the convention adjourned to meet again in June following; but the committee not being then prepared, the meeting was adjourned to a later period, namely April 20. 1785, and was then constituted of delegates from forty-six burghs. In the interim, the committee received reports of grievances from each individual burgh. Two bills drawn up by Mr Cullen and Mr Fletcher, the one for a reform in the manner of electing representatives in Parliament, and the other for improving the inter-

nal government of burghs, which had been previously discussed in the committee, and submitted to the inspection of their constituents, were now taken into consideration. The first of these was, however, laid aside, the subject having been taken up in a more general manner in England, and the attention of the delegates solely confined to the latter, who, having proposed various alterations, which they left for the standing committee to revise and engross therein, again adjourned to Oct. 19. 1785, when the bill, thus amended, was finally approved of, and the committee empowered to adopt measures for introducing it into Parliament, and some other resolutions of a more general nature were adopted. Aug. 16. 1786, the convention again assembled, when they directed their committee to proceed with the bill as soon as they had received petitions signed by a sufficient number of burgesses from a majority of the royal burghs. The business being thus left in the hands of the committee, they, Jan. 17. 1787, appointed a sub-committee to examine and decide upon the best method of arranging and publishing as evidence, the sets of the Royal Burghs, with the various other historical documents which had been transmitted for this purpose, and determined upon applying to George Dempster, Esq. M. P. for the burghs of Dundee, Perth, &c. as the most proper person to forward their object in Parliament, who, having been applied to, declined, alleging as a reason, that it would ill become him to attempt the subversion of Magistrates and Town Councils, from whom he derived his seat; and also, upon a second application, declined pointing out any other gentleman in the ministerial interest, equally eligible. They next, Feb. 3. 1787, came to the resolution of writing directly to the minister, and, Feb. 14. a letter

was drawn up accordingly, to be forwarded to Mr Pitt; letters were also forwarded through John Wilson, Esq. solicitor for reform in London, to Mr Wilberforce, Mr M'Dowall, and Mr Home of Wedderburn; and Mr Wilson subsequently spoke to Mr Beaufoxy; all of whom, as appears, ultimately declined taking any interest in the business. Personal application having also been previously made to the Right Honourable Henry Dundas, he, with his usual candour, not only declined to support, but announced his determination to oppose, the object in view. To the letter written to Mr Pitt, no answer was ever returned. At this meeting, the sub-committee previously appointed for that purpose, reported, that the most efficient plan, with regard to the sets and historical documents, would be, to print them entire in their original form, as being the most authentic. Not having given up all hopes of success in their applications to the ministerial side of the house, the committee, Mar. 20. again wrote to Mr Wilson, desiring him to solicit other Scottish Members; but upon receiving answer, that all his attempts were fruitless, they, Mar. 23. after reading and deliberately considering Mr Wilson's letters, relinquished all hope from that quarter, and determined upon applying to the opposition members. With this view, they requested the Dean of Faculty to write to Sir Thomas Dundas, and directed Mr Wilson to discontinue his efforts on the ministerial bench. In the interim of these proceedings, the Magistrates and Town Councils were not idle, the subject having been frequently broached in the regular convention of Royal Burghs, and, Mar. 3. 1787, Lord Provost Grieve, as Preses of that body, issued a letter to all the individual Town Councils, claiming for it, the ultimate superinten-

dence of their public accounts, which was now proposed to be placed in the Exchequer; and directing them to solicit their respective representatives in Parliament to oppose the introduction of the bill. Mar. 29. the committee drew up resolutions in opposition thereto, circulated an appendix containing illustrations of the proposed new bill, drawn up by Mr Fletcher, and appointed delegates to manage their business in London, who, upon their arrival there, applied to Mr Fox. This gentleman being diffident, from his alleged ignorance of the constitutional law of Scotland, recommended them to Mr Sheridan, who, upon his being made acquainted with the case, embraced the cause with ardour. The other gentlemen applied to were, Sir T. Dundas, Mr Courtenay, Lord Maitland, Mr Grey, Mr Lambton, &c. &c. and on the 28th of May, Mr Sheridan opened the business with the petition from Glasgow, the reception of which was opposed by the Right Honourable Henry Dundas, on the ground "that it was of a private nature, and as such could not be received, the day appointed by the regulations of the House for receiving petitions of that nature having elapsed." This objection was answered by Mr Fox, but the Speaker interfering in support of the rules of the house, the motion was withdrawn, when the delegates, after establishing a committee in London, returned to Edinburgh. Aug. 15. 1787, the convention of delegates was again assembled, at which resolutions were voted, expressing their determination to persevere, confidence in their standing committee, and approbation of the conduct of their London delegates, &c. &c. In March 1788, the committee again dispatched the former delegates in conjunction with others, "with power to assume any other gentlemen

“ from Scotland, who might be in London at the time,
 “ and whom the delegates might think proper to be
 “ conjoined with them.”

Various delays having prevented Mr Sheridan from attending to the business until June 17. 1788, he then moved for leave to bring in the bill, and was seconded by Sir T. Dundas. Leave was given, and the bill, previously prepared, read a first time, and ordered to be printed. In the course of the debate, it was alleged that the enactments of it, would involve a violation of chartered rights; to meet which, Mr Sheridan moved for copies of all the charters; which was agreed to, with the addition of the acts also.

The plan of opposition intended by the regular convention of Royal Burghs having transpired, on the return of the delegates from London, letters were written by the committee to their constituents, suggesting means by which they were to be combated; and, Aug. 20. the convention of delegates again assembled in Edinburgh, where resolutions were voted, in answer to a statement of facts, which had been published at London, in behalf of the Town Councils.

On the 9th of September, Lord Provost Grieve, as Preses of the convention of Royal Burghs, issued a letter to the different Town Councils, requiring them to make a scrutiny into the names of persons affixed to the various petitions, which gave great offence to the convention of delegates, this scrutiny having been proposed to be taken, in presence of persons authorised by them; but that method was generally discountenanced by the Magistracy; and about this time an immense number of actual or supposed grievances were transmitted to the committee, which were afterwards compressed and embodied into a volume, from

which the committee, deeming the whole too bulky for the perusal of members of Parliament, made a selection for their use, of what appeared most striking. These, with some copies of the entire report for the use of the delegates there, were transmitted to London early in 1789. Thus furnished, Mr Sheridan moved and carried the second reading of the bill on the 6th of July; but its commitment was opposed by Mr Dundas and others, who now contended that "Mr Sheridan should have moved for a previous committee of inquiry, and proved the grievances and necessity for reform, before he brought in his bill." Thus thwarted, Mr Sheridan, with the approbation of the London committee, consented to begin anew, by going into a previous committee of inquiry, and reporting facts and evidence to the house; but the Session being near its close, nothing farther was done, with the exception of orders being issued for certain returns from the different Town Councils' records.

Another meeting of the convention of delegates was held in Edinburgh, Aug. 19. 1789, to which fifty-two of the sixty-six Royal Burghs sent representatives, when various addresses and resolutions were voted.

The delay which had occurred in making up the returns prevented the business from being taken up in London. April 28. 1790, Mr Sheridan complained to the House of the very imperfect manner in which the returns were made, and the lateness of the period at which they had arrived; but the Parliament being on the eve of a dissolution, it was deemed advisable to postpone farther proceedings at that time, and move for a committee of inquiry in the first Session of the new one.

The convention of delegates met, as usual, at Edinburgh, Aug. 4. 1790, and voted resolutions for perseverance, &c. &c.

May 27. 1791, Mr Sheridan, after an elaborate explanation of the circumstances, moved, " That the several petitions, accounts, and papers, presented in the last Session of Parliament, relative to the internal government of the Royal Burghs in Scotland, be referred to the consideration of a committee;" which was seconded by Mr Fox, and opposed by Mr Anstruther and Mr Dundas, the last of whom complained, that the motion had been delayed until there was no person left in London to attend to the business on the part of the Magistrates, &c.; to which Mr Fox replied; but the objection being admitted, Mr Sheridan consented to postpone the business until next Session. Mr Fox then moved, " That this House will, early in the next Session of Parliament, take into consideration the matter of the petitions," &c. which was seconded by the Hon. Thomas Erskine, and unanimously agreed to.

Aug. 10. 1791, the convention of delegates again assembled at Edinburgh. The thanks of the meeting were voted to Mr Fox and Mr Sheridan, but great disgust was expressed at the reception their cause had met with in Parliament.

April 5. 1792, in consequence of instructions from both the committees, Mr Sheridan, in conformity with the resolution in May 1791, moved, " That on Tuesday the 17th inst. this House will resolve itself into a committee of the whole house, to take into consideration the matter of the petitions," &c. which motion was seconded, and debates ensued thereon, the formality of it being objected to by Mr Dundas, Mr An-

struther, and the Chancellor of the Exchequer; the objections were answered by Mr Sheridan, to which Mr Dundas replied; and after a few words from the Chancellor of the Exchequer, the motion was put and negatived. Mr Sheridan then moved, "that on Wednesday the 18th of April, this House do take into consideration the matter of the petitions," &c. which was agreed to. On the 18th of April, however, when Mr Sheridan made his motion, "that it was incumbent upon the House to proceed in the examination of papers, &c. which had lain so long upon the table in obedience to its orders, to ascertain whether the grievances were true, and what remedy the House ought to apply," it was again opposed, and the Chancellor of the Exchequer threatening to move the previous question, Mr Sheridan withdrew it, and moved, "That the several petitions, &c. be referred to a committee, in terms of the resolution of last Session." The Chancellor of the Exchequer then said, "that this was the same motion on which the House had before been debating irregularly, and the same in substance with that which was negatived, observing that the materials for judging were on the table, and if gentlemen thought they contained no grounds for the remedy intimated, they would do right in voting against going into the committee." To which Mr Fox made an indignant reply, and concluded by asserting, "that all petitioners who came to that House, with a proof of a grievance, had a right to redress, much more had they a right to a candid hearing. To refuse the former was an injury, but to deny the latter an insult." The Chancellor of the Exchequer having replied, the house divided, and the motion was negatived by 69 to 27. Mr Sheridan then said, "that the

“ business should not so be dismissed ; the petitioners
 “ were determined to persevere, and while that was
 “ the case, he would persist in bringing it forward, from
 “ day to day, and from Session to Session. They had
 “ not hitherto desired leave to substantiate their case
 “ by Counsel at the bar ; this, perhaps, they might now
 “ feel to be a proper step.” And on the 30th of April,
 he presented a petition, signed by several burgesses
 then in London, for themselves and in behalf of others,
 praying to be heard by Counsel, which was also object-
 ed to in point of form, and after a slight debate, nega-
 tived without a division ; and thus the business termi-
 nated for the Session.

Notwithstanding these repeated repulses, the bur-
 gesses, conceiving that they had been hitherto baffled
 by mere forms, and that the merits of the cause had
 never been gone into, still confident of ultimate suc-
 cess, determined to persevere, and the convention of
 delegates assembled July 25. as usual ; in which a bill
 for regulating the mode of accounting for the common
 good and revenues of the Royal Burghs, which had
 been brought into Parliament this Session by the Lord
 Advocate, was highly reprobated as being deceptive
 and illusory ; other resolutions were also voted, chiefly
 of gratitude to those who had given their support.
 This was the last convention of delegates that it was
 deemed necessary to assemble.

Mar. 25. 1793, the business was again brought be-
 fore the House, by a motion from Mr Sheridan, pur-
 suant to a previous notice, “ That the several peti-
 “ tions presented to this House in this Session of Par-
 “ liament, from the Royal Burghs of Scotland, toge-
 “ ther with the several accounts and papers relating
 “ to the internal government of the Royal Burghs,

“ which were presented to this House in the last Parliament, should be referred to the consideration of
“ a committee, to examine the matter thereof, and to
“ report the same as it shall appear to them, to the
“ House.” Which being carried, a committee was appointed by choosing twenty-eight members from each side of the house alternately, the question being put upon each name.

On the 17th June 1793, Mr Sheridan presented the report, which was ordered to be printed.

In this stage of the business, the state of agitation into which the public mind had been thrown by the recent atrocities of the French Revolution, operated as a complete barrier against any concessions being granted, and this opinion being generally acquiesced in, nothing farther was attempted at the time.

In 1796, Mr Buchan resigned his office of Chamberlain, upon a pension, in consequence of old age. At the appointment of his successor, Mr Thomas Hay, the salary was increased, upon the express stipulation, that he should neither carry on, nor follow any business whatever, but the term for which he was to hold the office, which in his predecessor's case was during the pleasure of the Council, seems to have been either inadvertently or intentionally omitted, and indeed the former stipulation appears to have been inserted, rather with a view to defeat two other candidates, than to effect any ostensible improvement. This conjecture is somewhat strengthened from this being the prelude to a very stormy period in the Council. In 1795, Thomas Smith, Esq. first came into the Council, as third Merchant Councillor, and in 1796, was chosen Old Treasurer, and became a member of the Provost's committee, in which situation he appears to have laid plans for entirely new-modelling the city accounts, which, according to his

statement, were so kept, that not one person in the whole Council could then understand them. His over officiousness in this matter apparently alarmed the Chamberlain, for at the Michaelmas Election following, in place of being appointed to the office of Treasurer, which he had anticipated with the view of carrying his design into effect, he was compelled to accept that of third Bailie, as a compromise, a friend of Mr Hay's being appointed to the Treasurership, and in the subsequent year he became Old Bailie of course. During the whole of the time, he appears to have been active in making a party, with the intention of instituting what he considered a thorough reform in the City affairs, but with very little success: the only objects he carried, being an Act of Council, in Feb. 1799, which, proceeding upon the report of a committee, to whom the affair of City Chamberlain was referred, declares, " That the Chamberlain of the City shall be annually elected, and that the office shall be declared vacant on the first Wednesday of October, to be at the same, or next subsequent sederunt, filled up by the Council for the time, and that the first election under the regulation, shall take place on the first or second Wednesday of October next, and so forth annually thereafter." The report also reprobated any undue influence being used by the servants of the City, in the election of members for the Town-Council; and likewise contained general instructions for the office of Chamberlain; the intention of all which seems to have been, to place that office more immediately under the controul of the Council. But this Act of Council, and these instructions, it would since appear, were never enforced, they being either virtually rescinded, or remaining upon the record as a dead letter; and Mr Hay was considered

to hold the office upon the same terms with his predecessor, no subsequent election during the period of his holding it having occurred. Previous to the Michaelmas Election 1799, Old Bailie Smith having been suspected of a plot to subvert Mr Secretary Dundas the then City member's interest in the Council, by obtaining the Provost's chair for his partner, Mr Stein, and thereby securing such interest in the Council as to carry his own election as the City's Representative in Parliament, and disappointed in his other schemes for reform, brought forward a statement he had obtained from the Town's Books, by which he made it appear, that the City Treasury was in a state of absolute bankruptcy. This, as a matter of course, caused an intense commotion; and a paper war was immediately commenced; in the course of which this statement was opposed by another, which, although not official, was apparently sanctioned by the Magistrates; wherein the Town's affairs were represented, on the contrary, in the most flourishing condition. These two statements, differing so widely in almost every item, seem to have left an impression, that the Town's affairs were intentionally managed, and books kept in such a way, as not to be generally understood.

Feb. 29. 1804, Mr Hay having resigned the office of Chamberlain, the whole management of the City revenue was committed to John Jackson, Esq. the Treasurer; who, as appears by the records, carried on the business until April. 20. when he was unanimously elected City Chamberlain, during the pleasure of the Council, with a salary of £600, to commence from the 1st of March.

Great complaints having been made respecting the defective state of the police, in April 1805, an Act

of Parliament was procured to entirely new-model this department of civic policy; whereby the Magistrates were relieved from the burthen of its immediate management, which was placed under a general commission, in which the City with all its dependencies, including the extended royalty, was comprised; when that ancient body, the Town-Guard, was reduced, and subsequently abolished. The Commissioners appointed were, the seven Magistrates, and Deacon Convener, the Lords Justice Clerk, Chief Baron and Advocate, the Dean of Faculty, the Solicitor General, the Keeper of the Signet or his deputy, the Senior Clerk of Session, the Members for the City and County, the Sheriff-Depute, the Principal of the University, the President of the College of Physicians, the Master of the Merchant Company, the Preses of the Society of Solicitors, two Justices of the Peace from the West Church Parish, the resident Magistrates of Canongate, Potter-row, and Portsburgh, and (the whole town being divided into six wards,) seven Resident Commissioners from each, twelve of the latter to go out by rotation, and a new election to be made from each ward annually. The General and Resident Commissioners to have power to make assessments, chuse a Superintendant of Police, fix the number of officers, watchmen, &c.; to give orders for carrying the purposes of the Act into execution, &c. &c. The Resident Commissioners to have the charge of their respective wards, and see the orders of the General Commissioners put into execution, &c. &c. A Court was erected for the trial of petty offences, and a Judge appointed to preside therein, who took his seat for the first time on the 15th July.

On the 12th of June this year, the Lord Provost's salary having been deemed inadequate to support the

dignity of the chair, was, by an Act of Council, advanced from £ 500 to £ 800.

The Right Hon. Lord Provost Coulter, having died 14th April 1810, while invested with the dignity of that office, was interred on the 17th, with great pomp and solemnity, his remains having received similar funeral honours to those previously conferred upon Lord Provosts Brown and Kineaid.

Mr Jackson having also resigned the office of Chamberlain, April 27. 1809, Thomas Henderson, Esq. was elected, and took his oath, *de fidei*, upon the same terms, with a salary of £ 600 per annum, besides allowances to his Clerks. But, May 16. 1810, a motion was made in the Town-Council, without previous intimation to its members, and having lain upon the table until the 30th, was then renewed, and carried, by a majority of twenty-three to seven, whereby Mr Henderson was appointed to the office of Chamberlain, "*Ad Vitam aut Culpam*;" against which motion a protest was taken by the minority, for these reasons, " That the motion was irregular, and the measure illegal, and contrary to the set of the Burgh, by which the management of the revenue was vested in the Treasurer, who acted gratuitously, and was restricted from remaining in office longer than one, or at most, two years together: That, notwithstanding the necessity for this new office, from change of circumstances, there was no pretext for rendering it perpetual in the present Chamberlain, no difficulty having occurred in obtaining proper persons to execute it: That it would have the effect of rendering him independent of his constituents, and consequently careless of their interests: That a factor so constituted, was an anomaly in all practice, public and

“ private, as he could not be removed even in case of
 “ incapacity or infirmity: That there never had been
 “ an instance of the removal of ‘any person well ac-
 “ quainted with the various concerns of the City,
 “ ‘and of acknowledged abilities and integrity,’ and,
 “ consequently, no inconvenience of this kind had yet
 “ been experienced: That, so constituted, he might
 “ avail himself of his influence, and take an active
 “ part in the politics of the City, become leader of a
 “ party, pack the Council, and so throw the examina-
 “ tion and controul over his official accounts into the
 “ hands of his friends: That, from analogy, all other
 “ offices under the appointment of the Town, might be
 “ held by the same tenure: and finally, That the of-
 “ fice would become venal; and, if so constituted,
 “ might bring several thousand pounds into the coffers
 “ of the City.” This protest was signed by J. Gloag,
 2d B. John Turnbull, T. Alex. Manners, O. B. R.
 Scott Moncrieff, O. T. William Tennant, D. G.
 Andrew Inglis, M. D. P. R. C. S., and James Brown,
 D. of wrights.

The majority, on the other hand, contended, that al-
 though this office was one of recent erection, rendered
 necessary from the great change which had occurred
 in the value, extent, and variety of the City’s prop-
 erty, and other revenues, arising indeed out of the de-
 fective office of Treasurer, but altogether independent
 therefrom, he being a servant of the City, not an abso-
 lute member of its Council; that the very essence of
 the office was consummate knowledge of the town’s
 affairs from long experience, to attain which, long
 continuance therein was an absolute requisite, (the short
 time which the Treasurer officiated, preventing him
 from acquiring this necessary qualification; and to en-

sure such long continuance in office, they contended that he ought to be placed out of the reach of any private cabals; and, further, that by the security taken, and the clause, "*aut culpam*," now inserted, they had guaranteed the community from any malversation, or maladministration in the office, although they had deprived themselves and their successors of the power of dismissing the person appointed, upon any slight pretence or private cabal.

An action was, however, subsequently brought in the Court of Session, when after full pleadings before the Lord Ordinary, (Woodhouselee), memorials were ordered; upon considering which, his Lordship decided against the pursuers: but against this interlocutor, the pursuers reclaimed to the Inner House, when the cause came to be advised upon, by a petition from the pursuers, (the minority), and answers for the Town Council and Mr Henderson; the Court, Jan. 24. 1812, by a majority of three to two, altered the interlocutor of the Lord Ordinary, and reduced and set aside the election of Mr Henderson, *ad vitam aut culpam*; but found the pursuers not entitled to their expenses.

At a subsequent meeting of the Town Council, a letter from Mr Henderson, acquiescing therein, was produced, when, upon a motion made by Mr Turnbull, and seconded by Mr Tennant, both pursuers in the cause, Mr Henderson was re-elected Town Chamberlain, during the pleasure of the Council.

A second Act of Parliament for regulating the affairs of Police, having been obtained in 1811, whereby the Judge in the Police Court was abolished. July 6. 1812, Mr Tait resigned that office, and its duties again devolved upon the Magistrates. The Town Guard was, at the same time, finally disbanded.

The Lord Provost's salary having been still deemed inadequate, it was, by an Act of Council, April 20. 1817, again advanced from £800 to £1000.

In 1817, the burgh of Montrose having obtained, by a warrant from the Privy Council, a new set, upon a somewhat more liberal system of representation, attempts were made in Edinburgh to effect the same object. At a meeting of the Merchant Company, held Oct. 20th, this subject was brought under its consideration, and resolutions proposed preparatory to a general discussion that day month; and a few days subsequent thereto, meetings were held by several of the other incorporations, which passed resolutions, expressive of their determination to adopt every legal measure to promote their views. The subjects of complaint were, the general system of self-election, established by the Act of 1469, and the controul exercised by the Magistrates over the Trades, in the election of their deacons: the Surgeons in particular complained of being thus deprived of the power of calling any particular individual of their number to preside over their meetings; as, however well qualified he might be from his learning and abilities, he had little chance of success, if he was not in every other respect agreeable to the Magistrates. This business was again discussed in the Merchant Company, on the 17th Dec. when resolutions expressive of their approbation of the object in view were carried by a great majority, the numbers being 176 to 87. Several other public bodies having also passed resolutions, in favour of a change in the town polity, the committees appointed by them not anticipating any favourable result from a conference with the Magistrates, determined to avail themselves of certain apparent informalities which had occurred at the

Michaelmas Election this year. A petition and complaint was accordingly presented to the Court of Session, in the name of Deacon Alexander Lawrie, and Alexander Henderson, late Deacon of the goldsmiths, complaining, amongst other matters, that several of the members of Council held places of profit in the gift of the Magistrates, which is contrary to the set; that others had no place of residence within the Royalty, (alluding more particularly to Robert Anderson, Esq. elected fourth bailie, whose residence was in Broughton Place); that another (Mr Denholm) was chosen Council Deacon, while officiating as Trades Councillor; that another individual was not a freeman of the burgh at the time of his election, &c. &c. In furtherance of this suit, various sums were voted by the different bodies; an order was obtained to search the Council Records, and various papers having been given in and answered, the cause came to be decided before the Second Division, on the 3d of March following, when two of the Judges (Lords Robertson and Bannatyne) were of opinion, that the fact of non-residence, &c. as made out by the complainers, ought to have the effect of setting aside the election; but the other two (Lords Glenlee and Craigie) thought it necessary to institute a farther inquiry as to the consuetude. The Court being thus divided, (the Lord Justice Clerk not being able to attend, through indisposition), determined that Lord Reston, as Lord Ordinary, should be called upon for his opinion, which coinciding with the two latter, the defenders were allowed to bring proof of the usage in the burgh. On the 6th of June following, the Court sustained the complaint upon the informality of Mr Denholm's election, he being one of the twenty-five necessary to form the complete Council at the

time the Deacons were presented, his place as Trades Councillor not having been supplied, and also one of the newly elected deacons, thus acting in two capacities and voting for himself; declared the election null and void, and found the pursuers entitled to their expenses. Against this interlocutor, the majority of the Town Council presented a reclaiming petition, to which Mr Cranston, Council for the complainers, prayed the Court to be allowed to put in answers by an early day; so that the cause might be decided immediately; but the Lord Justice Clerk stated, that from the immense pressure of business, and weight of the roll, it was impossible to advise the case that session. In this state, therefore, the cause rested until after the Michaelmas Election 1818, whereby its complexion was somewhat altered. In the interim, additional papers were presented, and in Feb. 1819, the case was remitted to the Jury Court, to determine certain facts respecting non-residence, where the issues, thirteen in number, came to be tried, on the 9th of November following; and the Jury, after repeated adjournment, gave in their verdict upon the 15th, finding all the material facts, except as to Mr Denholm, against the Magistrates, the chief of which appears to have been that of Hailie Anderson, in whose case the Counsel for the defenders rested his eligibility upon his being a director of the Commercial Bank, whereas, had they made him a partner in that concern which he really was, and as such paid *stent in casu*, they would have placed him in the same situation with the partners in other great firms, whose eligibility had never hitherto been doubted. A bill of exception was afterwards presented, which was argued on the 11th Dec. but unanimously refused by the Court, who found Mr Lawrie entitled to the expense of the discussion;

and a petition was subsequently presented to the Court for setting aside the verdict, and granting a new trial, which, after hearing Council thereon, June 17. 1820, was also unanimously refused.

Pending these proceedings, namely, Dec. 16. 1817, a general meeting of the burgesses and guild-brethren, styling themselves the Incorporation of the Guildry, was held in Free-Masons' Hall, for the purpose of making an inquiry into their supposed rights as a corporate body; at which a Committee was appointed, with power to investigate the business, by corresponding with the Magistrates, or otherwise, and report thereon. At a subsequent meeting, held Mar. 9. 1818, the Committee reported, amongst other matters, that all attempts at negotiation with the Magistrates had failed, and advised, that two separate actions should be brought in the Court of Session, the one "an action of declarator as to the exclusive eligibility of guild brethren for the office of Merchant Councillors, and in this action the pursuers should be the Dean of Guild Incorporation, &c. and more particularly the individuals (by name) who may concur in the measure. The other to be an action of declarator, and of count and reckoning, relative to the funds, and the right of administering and controuling the administration of them; the pursuers to be as before, and the defenders to be, in both cases, the Magistrates and Town Council, and more particularly in the second action, the Dean of Guild for the time being." The Report was approved of. The Committee continued, with additions, and other resolutions passed May 17. Another meeting was held, April 27. at which it was agreed to present a petition to Parliament, against a bill then in progress, respecting the method of

auditing the accounts of burghs. In Nov. following, some farther attempts at settling the affair by a conference with the Magistrates, having been attempted without success, an action of declarator was ultimately brought before the Court of Session, "for having it found and declared, "that the Guildry are an incorporation; that they have "a right to call upon the Dean to convene their body; "and for having it ascertained, whether, or not their "funds have been misapplied," &c. &c. In which cause, the Lord Ordinary, (Cringletie), Jan. 11. 1820, after stating his reasons and opinion, that this body were never a separate Incorporation, in the proper and legal sense of that term, pronounced the following interlocutor: "The LORD ORDINARY having advised the "summons, defences for the pursuers, the answers, "productions for both parties, and the whole process, "for the reasons explained in his foregoing note, *sustains* the title of the pursuers, *as individuals*, to carry "on this action, but *assolikes* the defenders therefrom, and decerns: Finds the pursuers liable for expenses, to be taxed by the auditor of Court, to whom "remits the account, when the same shall be given "in."

At Michaelmas this year, Duncan Cowan, Esq. was elected bailie, against which election a complaint was lodged before the Court of Session, for similar reasons to those assigned against that of Bailie Anderson.

In this posture the whole affair appears to have stood, until February 1821, when a sort of compromise was entered into, the Magistrates agreeing to pay £1100, as a compensation for expenses, and the pursuers to abandon all farther legal proceedings.

On the 13th of March, however, a general meeting of the burgesses and guild-brethren, styling themselves the Corporation of the Guildry, was held in the Free-

Masons' Hall, at which resolutions were passed; 1. returning thanks to Deacon Lawrie and his associates; 2. approving of their abandoning legal proceedings, as not likely to attain their object; 3. advising an application to Parliament; 4. that a petition be prepared, to be presented by Lord Archibald Hamilton, praying for an alteration in the set, either by a bill for Edinburgh alone, or in conjunction with the other burghs of Scotland; 5. determining to prosecute their object, in redressing present and preventing future grievances, and to concur with the Committees of other bodies in framing an Act of Parliament; 6. requiring liquidation of arrears, and punctual payment of future quarterly contributions. The thanks of the meeting were voted to the Preses, and a petition agreed to, in terms of the fourth resolution, which was signed by the brethren present, and ordered to be left for signatures at Merchants' Hall, for some days thereafter. April 2. 1821, Lord Archibald Hamilton presented the petition to the House, which was read, and ordered to be printed, but no subsequent motion appears to have been founded thereon.

Having brought these separate proceedings of the burgesses and guild-brethren of Edinburgh to a conclusion, we may next take a review of the proceedings in Parliament, with respect to the Scottish burghs in general, as connected therewith.

Feb. 13. 1818, Lord Archibald Hamilton moved for a return of the warrant for new-modelling the set of the burgh of Montrose, with intention to found a subsequent motion thereon; which being opposed, the House divided, when there appeared, Ayes 58, Noes 167; majority against the motion 105. April 10. the Lord Advocate moved for leave to bring in a

bill for regulating the procedure with regard to the public accounts of burghs; which being given, the bill was brought in, and read a first time. This measure not answering the expectation of the burgesses, numerous petitions were presented from all the burghs against it, and after being read a second time, April 20. it was then withdrawn; but Feb. 3. 1819, the Lord Advocate, upon the question being put to him by Lord A. Hamilton, announced his intention of renewing it.— May 6. 1819, Lord A. Hamilton moved for a Select Committee upon all the petitions which had been presented to the House by the Scottish burghs, during the present and two preceding Sessions, &c. with powers to examine papers and persons; which being supported by Mr J. P. Grant, Mr Primrose, Mr W. Douglas, and Mr C. Wynne, was opposed by Mr W. Dundas, Mr Boswell, Lord Binning, and Mr Canning, when the house divided, and there appeared for the motion 149, against it 144, majority 5. The committee thus appointed, sat down immediately, and after having taken under their consideration the report of 1793, and the minutes of the committee on the Aberdeen Harbour bill in 1810; and called before them the principal officers of the different petitioning burghs, &c. amongst whom were the Lord Provost, Lord Dean of Guild, City Chamberlain, City Clerk, Accountant, &c. &c. with numerous other gentlemen from Edinburgh, and examined the various documents produced; July 12, Lord A. Hamilton, as chairman, presented their report to the House, which was received and ordered to be printed; but the Session being then near its close, nothing further was done. The ensuing Session being greatly occupied in the examination relative to the late Queen, no new motion was made until Feb. 16. 1821, when

Lord A. Hamilton moved that the petitions of 1818, 19, and 20, be referred to a select committee, which was ordered, and the committee sat down accordingly; but in the course of their proceedings great differences arose, and June 4. Lord A. Hamilton, on presenting the report as chairman, announced his dissent therefrom: he did not complain of false statements, but that opinions were given without adequate inquiry; nor so much of what the committee had done, as of what it had left undone. Lord Binning, Sir G. Clerk, Mr W. Douglas, and Mr W. Dundas, defended the committee, to whom Mr Abercrombie, Sir R. Ferguson, and Mr Hume, replied, when the report was received and ordered to be printed. Feb. 20. 1822, Lord A. Hamilton moved for a committee of the whole house to take into consideration the state of the Royal Burghs: his Lordship stated the chief source of the evils which existed, to be the system under which the Magistrates going out of office elect their successors, and proposed as a remedy, the abolition of this right, and the establishment of a popular system of election. The motion was opposed, and a long debate ensued; the chief arguments against the motion being, that the innovation proposed was a violation of chartered rights, and an infringement of the articles of union; when the house divided, and the motion was negatived, by a majority of 81 to 46.

Feb. 28. the Lord Advocate moved for leave to bring in two bills; one to regulate the common good, and management of the revenues in the Royal Burghs of Scotland, the other to compel the residence of the Magistrates, and to restrain all undue compacts with respect to elections; when, after a few words from Lord A. Hamilton, the latter was withdrawn, and the former brought in. March 28. the bill was read a second time, and or-

dered to be committed. June 17. petitions from Edinburgh, Inverness, &c. were presented against it; and after some observations by Lord A. Hamilton, Mr J. P. Grant, &c. it was recommitteed, when various amendments were proposed and negatived; but no further opposition being made, it subsequently passed both Houses, and received the royal assent, July 29. 1822.

Soon after the election, at Michaelmas 1821, the Lord Provost made a motion, which was seconded by the Lord Dean of Guild, importing, that the then state of the City's finances required that every practicable retrenchment should be made; and Nov. 7. his Lordship, after observing that this measure could not more properly commence than in his own person, moved, that the salary granted to the Lord Provost should be reduced from £ 1000 to £ 800, when an Act of Council was passed accordingly.

Both the Acts of Parliament for regulating the police, &c. passed in 1805 and 1811, having been granted for a limited period, which was now about to expire, and the general system having been found beneficial, notwithstanding some defects in its details, a new Act was applied for, and obtained, June 24. 1822, to continue in force ten years; by which the boundaries of the Commission are greatly extended, the whole being divided into thirty wards or districts. The General Commissioners appointed are, the seven Magistrates of the City, the Deacon Convener, the Sheriff Depute of the County, and one of his substitutes, the resident Bailie of the Canongate, the Dean of the Faculty of Advocates, the Deputy Keeper of his Majesty's Signet, the Preses of the Society of Solicitors, the Master of the Merchant Company, and the Convener of the Southern districts, all for the time being, and one

LXXIV AN HISTORICAL SKETCH OF THE

gentleman to be elected annually, by the occupiers of Houses, Shops, Warehouses, &c. &c. in each ward.

In the General Commission, is placed the power to levy rates, appoint and dismiss at pleasure, all persons employed in execution of the purposes of the Act, whose appointment or dismissal is not specially vested elsewhere; to fix the number of Lieutenants, Watchmen, Scavengers, &c. &c.; to make orders and regulations, and enact penalties not exceeding twenty shillings, relative to lighting, cleansing, guarding, &c. the streets, &c. &c. For which purpose they are to hold six statutory meetings, on the second Monday in January, March, July, August, and October, and the first Tuesday in November annually, and special meetings by a requisition from the Lord Provost, or Sheriff Depute, or, in their absence, the Clerk to the Commission, upon a requisition being made stating its object, under the hand of four General Commissioners. The Lord Provost, or Sheriff Depute, or, in their absence, a General Commissioner, to preside, and twelve to be a quorum, excepting only at the first annual meeting for fixing the rate, when it is required that two-thirds of the General Commissioners shall be present; but the proceedings of special not to supersede those of general meetings.

Two Resident Commissioners are also to be elected annually by the occupiers of houses, &c. in each ward, and both General and Resident Commissioners are invested with the powers of a Constable, under the authority of the Magistrates of the City and County, the latter to be head Constables, and have a general superintendence of their respective wards, and of the measures necessary for promoting the peace, order, and security of the inhabitants thereof, to attend to the enforcement of the regulations made by and under au-

thority of the Act, and report to the General Commissioners, their Clerk, Superintendent, or Inspector, according to the nature of the case, any neglect or infringement thereof.

The power of appointing the Superintendent is vested in the Lord Provost, and Sheriff Depute of the County, and his dismissal in a committee of five persons, or a majority of them, namely, the Professor of Scots Law, and the Professor of Conveyancing for the time being, the old Master of the Merchant Company immediately preceding the one in office, or, in the event of his death or incapacity, the one preceding, the old Convener of the Southern Districts in like manner, and one person appointed by the General Commissioners, the dismissal to take place in pursuance of a requisition from, and at a special General Meeting of, the Commissioners.

All offences, &c. falling under the Act, to be judged of by the Magistrates, and four old Bailies, or any one of them; the Lord Provost being empowered to grant the latter Commissions, as Sheriffs Depute for this purpose, to last only during the year that they are in office.

All attempts to procure a change in the set of the burgh having hitherto failed, an effort was next made to obtain an extension of the elective franchise. A General Meeting of the inhabitants, householders of Edinburgh, was held Mar. 8. 1823, "for the purpose of considering the propriety of presenting a petition to Parliament to confer the right of electing the member for the City of Edinburgh on the householders, with such limitations as to the wisdom of Parliament should seem proper;" which having been agreed to, and a resolution to that effect

passed, the petition, drawn up accordingly, and signed by six thousand eight hundred and forty-seven persons, was presented to the House of Commons, May 5. 1823, by the Hon. James Abercromby, who at the same time gave notice, that, "early in the next Session of Parliament, he should move for leave to bring in a bill to amend and alter the state of the representation of the City of Edinburgh;" and in pursuance thereof, Feb. 26. 1824, moved that the petition be read, which being agreed to, and the petition read accordingly, after stating his own opinion of the case, next moved for leave to bring in the bill, which being opposed by Mr Stewart Wortley, and Lord Binning, and supported by Lord John Russell, Sir John Newport, and Mr Kennedy, the House divided, when there appeared for the motion 75, against it 99, and it was accordingly rejected by a majority of 24.

A second petition, signed by seven thousand two hundred and forty-two householders, was presented to the House of Commons, May 13. 1826, by Mr Abercromby, who again moved for leave to bring in the bill, which being opposed by Mr W. Dundas, Sir G. Clerk, the Lord Advocate, and Mr Secretary Canning, and supported by Mr J. P. Grant, Sir Ronald Ferguson, Sir Francis Burdett, Lord Archibald Hamilton, and Mr Hobhouse, the House divided; for the motion 97, against it 122; majority against the bill, 25.

Sep. 13. 1826. In consideration of the dignified manner in which the present Lord Provost has filled the chair, and for other causes, a motion being made to that effect, his Lordship's salary was, by an Act of Council, again advanced to £.1000 per annum.

In conclusion, we may repeat, as before observed,

that after having now withstood the assaults of nearly two centuries and a half, with the exception of the slight change in the manner of electing the deacons, the partly popular election of commissioners for managing the affairs of Police, and the duties of the Treasurer having partly merged into the office of Chamberlain, the representative system of the Municipal Government of the City of Edinburgh remains precisely as it was left by the decret-arbitral of King James VI.; the entire Council, ordinary and extraordinary, consisting of thirty-three persons, who are elected as follows; viz. as the Deacons are only elected for one year, although they are usually re-elected the year following, the fourteen Incorporations being warned for that purpose*, meet by themselves, and each Incorporation makes out a list (or leet as it is called) of six of their members. These lists are laid before the ordinary Council of twenty-five, who strike off three names from each, which is termed shortening the leets†. The lists thus reduced to three in each, are returned to the Incorporations, out of which they must choose their deacons for the ensuing year. The fourteen deacons thus chosen, are next presented to the

* The Trades are warned on the third Wednesday preceding Michaelmas, Sept. 29. after which it is not usual for the Council to do any public business until the elections are over. On the same day, according to ancient usage, the Council receive, for their year's attendance, as follows: viz. the Lord Provost, £1:11:6; the four Bailies, 10s. 6d. each, and 10s. in addition for Sheriff gloves; the Dean of Guild and Treasurer, each 10s. 6d.; and the remaining ten Merchant and sixteen Trades' Members of Council, 3s. 6d. each.

† The shortening the leets takes place on the Friday following the deacons being warned, and the election on the Saturday; after which, (or at an early day subsequent), most of the Incorporations dine together. On the Monday following, the new and old deacons dine together, which meeting is usually denominated the **SHEWING OF FACES**.

ordinary Council of twenty-five, by whom six of their number are selected as *Council Deacons*^{*}, when their predecessors retire. On the Wednesday following, the new elected Deacons take their places, six as ordinary, and eight as extraordinary, when the *ordinary Council* of twenty-five, (including the six new *Council Deacons*,) next proceed to the election of three Merchant and two Trades' Councillors, who, upon being elected, immediately take their seats, but their predecessors remain until the election is finished; thus making the entire Council to consist of thirty persons, who, on the Friday following, make up the leets, out of which the Lord Provost, Bailies, Dean of Guild, and Treasurer, are to be chosen; and their election is made on the first Tuesday after Michaelmas, by this Council of thir-

^{*} The Six Council Deacons are usually chosen from among the extraordinary Deacons of the preceding year; thus twelve out of the fourteen, in the course of their two years' term of office, receive gowns; but this being the greatest number that can receive them, those who are left without, are generally designated *bare-backed*. It is indeed possible, that even the Convener may be so circumstanced; rare instances of which have occurred. The Council Deacons being elected on the Wednesday after the election of the fourteen Deacons, the Deacon Convener is elected in the Magdalen Chapel the day following, when an entertainment, termed the Convener's dinner, is given, to which the Magistrates and other dignitaries are invited, the expense whereof was formerly defrayed from the City funds; but this practice was discontinued during the period at which retrenchment was deemed necessary, when it was borne by the members of the Convener; and the City now give a specific sum for that purpose. The banner and pennon belonging to the crafts, are conspicuously displayed on this occasion, and afterwards committed to the charge of the new Convener. The inscription on the latter appears to have been imperfectly given by Penneculk, it is literally as follows:

FEAR GOD AND HONOUR THE KING WITH A LONG LYFFE
AND A PROSPEROUS REIGNE.—AND WE THAT IS TRADDS
SHALL EVER PRAY TO BE FAITHFUL FOR THE DEFENCE
OF HIS SACRED MAJESTIES ROYAL PERSONE TILL DEATH.

MUNICIPAL CONSTITUTION OF EDINBURGH. lxxix

ty, with the addition of the eight extraordinary deacons who vote upon this occasion, forming a total of thirty-eight persons. This business finished, the three old Merchant and two old Trades' Councillors retire; when, if the whole seven Magistrates chosen were new persons, their predecessors in office would of course take their seats, as Old Provost, Old Bailies, Old Dean of Guild, and Old Treasurer, and thus make the ordinary Council of twenty-five complete^a; but as the Lord Provost, Dean of Guild, and Treasurer, generally remain two years in office; and as it frequently happens, that the persons elected as Lord Provost, &c. have been Bailies the immediately preceding year, it naturally follows, that on such occasions vacancies must occur, as Old Provost, Old Bailies, Old Dean of Guild, and Old Treasurer, as the case may be, which are filled up

^a The election being considered as finished on the day on which the Magistrates are chosen, that business is succeeded by a splendid entertainment, to which all illustrious strangers are usually invited, the expense of which is defrayed from the City funds.

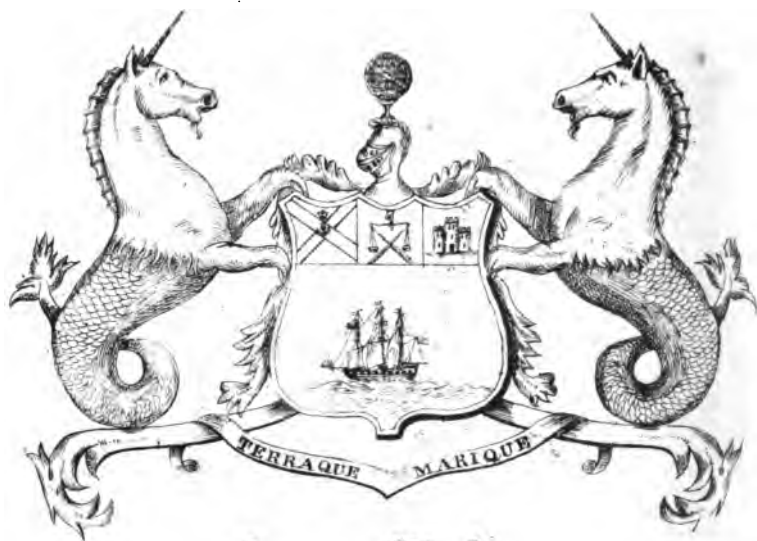
Another annual entertainment was formerly given in honour of his Majesty's birth-day, on which occasion the City Guard, being drawn out, fired a *feu de joye*, but was discontinued in consequence of the indisposition of his late Majesty, and has never since been revived.

The Town Guard was first established as a permanent watch in 1648, but shortly thereafter discontinued, when the duty, which again devolved on the citizens, was so indifferently performed, that in 1679, upon a remonstrance from the Privy Council, the Guard was restored; but James, Duke of York, afterwards King James VII. to suit his own views, then procuring its officers to be at the nomination, and the corps at the immediate service of the Crown; which not being the intention of the citizens, they, in 1689, petitioned the convention of estates, and procured a warrant for its dissolution; but in the following year, applied for liberty to restore it, under the immediate controul of the Lord Provost, which being granted, they then raised a company of one hundred and twenty-six men, including officers, which continued (its numbers, however, being occasionally varied) until it was abolished in consequence of the Police Act 1812.

the day following by the defective Council^b; and thus the ordinary Council of twenty-five, and extraordinary Council of thirty-three persons, become entire, seventeen of which, viz. thirteen ordinary and four extraordinary, form a quorum at their weekly meetings^c.

^b On the day the Council is filled up, the Admiral of Leith, and Baron Bailies of the Calton and Canongate, and Easter and Wester Portsburgh, are appointed. These officers are generally chosen from among the four old Bailies. Shortly after which are appointed the resident Bailies of these burghs of barony, who are chosen from among the most respectable inhabitants. On the same day is also appointed the Captain of the Orange Colouré; the first Merchant Councillor being generally complimented with that title, which derives its origin from his being the custodian of the insignia of the Trained Bands, and other reliques of that ancient military body, which are committed to his charge. This town militia was first instituted in 1580. In 1627, it appears to have been re-organised, when the whole youths of Edinburgh were formed into two companies, the merchants to march in the van, and the crafts in the rear. In 1645, it was again re-organised, when it was divided into sixteen companies, commanded by ten merchant and six trades' captains, each merchant captain having one tradesman as his lieutenant, and the ensigns and sergeants being equally merchants and tradesmen. In 1690, their duty of watching and warding finally merged in the Town Guard; but the staff was continued, under the denomination of the Society of Captains, Lieutenants, and Ensigns, until 1793, when this company was suspended during the pleasure of the Council, and their military duties devolved upon the Royal Edinburgh Volunteers, so long as that corps was continued.

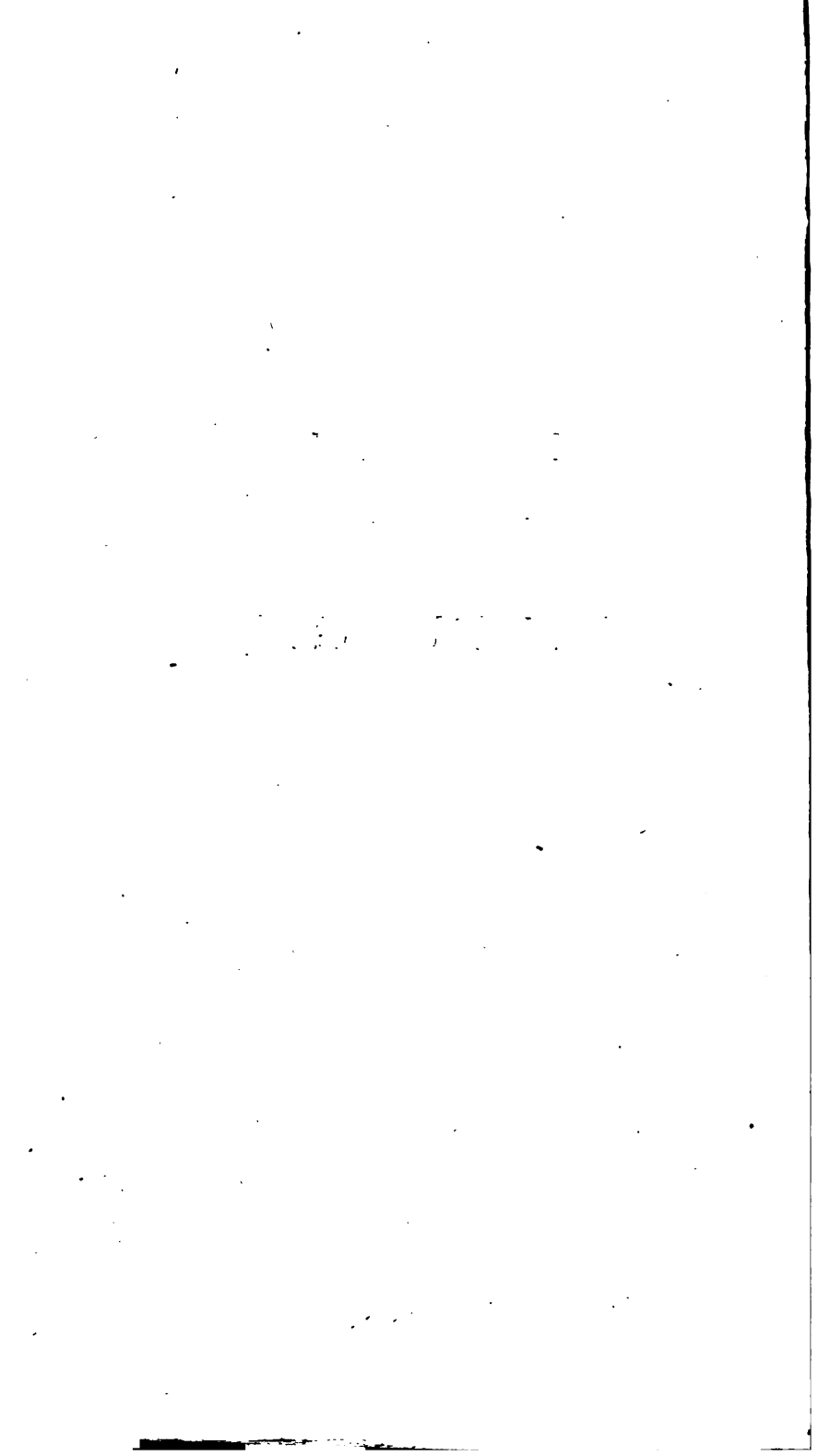
^c Formerly the extraordinary Deacons were only summoned when requisite; but now matters requiring their assistance being of every day occurrence, they attend all meetings, and are only disqualified from voting in the few cases specified in the Set; consequently, with the exception of election meetings, an *Ordinary Council*, in its strict sense, is almost unknown.



Company of Merchants.

THE SET OF
THE CITY OF
EDINBURGH;

CONSISTING OF
THE DECREETS ARBITRAL
OF KING JAMES VI. AND LORD ILAY.



THE
DECREET-ARBITRAL,

PRONOUNCED BY
HIS MAJESTY KING JAMES VI.

IN THE SUBMISSION

BY THE
MERCHANTS AND CRAFTSMEN

OF
EDINBURGH.

AT Edinburgh, the nineteenth day of June, the year of God, One thousand five hundred four-score three years, in presence of the Lords of Council, compeered personally Mr John Sharp, John Prestoun, Thomas Craig, and John Skeene, procuratours specially constitute for the Provost, Baillies, Deacones, Counsel, and Community of the Burgh of Edinburgh, be the Act of Counsel underwritten, made in presence of the Provost, Baillies, Deacones, Counsel, and Com-

munity contain'd therein, of the date underwritten, and gave in the said Act of Council, with the Decreet-arbitral aftermentionat, given and pronouncit be the King's Majesty, and Judges after following, subscribed be them, and the parties after rehearsed, and desired the same to be insert and registrate in the Buiks of Counsel, to have the strength, force, and effect of their Act and Decreet in time to come, and letters and executorials to be direct upon the parties specifiet thair-intil. The quhilk desire the said Lords thought reasonable; and therefore hes ordained and ordains the said Act and Decreet-arbitral to be insert and registrat in the said Buiks, to have the strength, force, and effect of their Act and Decreet, and hes interponit and interpons their Decreet and authority thereto, and decerns and ordains letters and executorials to be direct upon the hail parties specifiet in the said Decreet-arbitral, for fulfilling thereof in all poynts, in manner specifiet therein: Of the quhilk the tenor follows.

The quhilk day Mr Michael Chisholme, Andrew Selater, John Adamsone, Baillies; Mr John Prestoun, Dean of Gild; Mungo Russel, Thesaurer; John Johnston, John Harwood, John Robertsene, William Maule, William Nesbet, Alexander Naper, John Morrisone, Robert Ker, Henry Charterhouse, merchants; James Fergusone, Bower; John Bairnsfather, Tailyeour; and the Deakens following, viz. Gilbert Prymerose, Chirurgical; John Wat, Smith; Edward Galbraith, Skinner; Edward Hart, Goldsmith; William Hoppringle, Tailyeour; Thomas Dickson, Furrier; And sicklike James Ker, Flesher; William Weir, Cordiner; Adam Newtown, Baxter; William Coutts, Webster; Andrew Williamson, Wright; William Somers,

Bonnet-maker, remanent Deakens of Crafts, for themselves, and the hail body and community of the Town, als well Merchants as Craftsmen, makes and constitutes Mrs John Sharp, Thomas Craig, John Prestoun, Assessours, and Mr John Skeene, Procurator Fiscal, or any twa of them, their procuratours, to compear before the Lords of Session and Counsel whatsomever day or days convenient, and there, in name and behalf of the Provost, Baillies, and Counsel for the Merchants, and of the said Deakens for the Crafts on the other part, to consent to the registrating of the Decreet-arbitral given by the King's Majesty, and Arbitrators specified therein, betwixt the Merchants and Craftsmen, in the Buiks of Counsel, interponing of their authority thereto, with execution to follow thereupon, in manner specified in the said Decreet, and generally, &c. *promittentes de rato*, &c. Extract furth of the Counsel Buik of Edinburgh, be me Mr Alexander Guthrie, Common Clerk of the samen ; Witness thereto my sign and subscription manual.

ALEX. GUTHRIE.

HERE FOLLOWS THE TENOR OF THE
SAID DECREET-ARBITRAL.

AT Halyruidhouse, the twenty-twa day of Apryl, the yeir of God One thousand five hundred fourscore three years, we Robert Fairlie of Braid, Sir Archibald Naper of Edinbellie, Knight, and James Johnstoun of Elphingstoun, Judges Arbitrators, chosen for the part of Mr Michael Chisholme, Andrew Sclater, John Adamson, and William Fairlie, Baillies of Edinburgh ; Mr John Prestoun, Dean of Gild ; Mungo Russel, Thesaurer ; John Johnstoun, Robert Ker younger, Henry Charterhouse, John Morison, William Maul, John Harwood, John Robertson, William Inglis, Alexander Naper, William Nesbet, Merchants, being on the Counsel of the said Burgh, for themselves, and in name and behalf, and as Commissioners for the hail Merchants indwellers of the said Burgh on the ane part, and John Cockburn of Ormestoun, Mr Robert Pont Provost of the Trinity Colledge, and Mr David Lindsay Minister of Leith, Judges Arbitrators, chosen for the part of James Fergusone, Bower ; John Bairnsfather, Tailyeour, twa of the Craftsmen, being on the Counsel of the said Burgh ; Gilbert Prymrose, Deaken of the Chirurgians ; John Wat, Deaken of the Hammermen ; William Hoppringle, Deaken of the Tailyeours ; Edward Galbraith, Deaken of the Skinners ; Edward Hairt, Deaken of the Goldsmiths ; Adam Newtown, Deaken of the Baxters ; Thomas Dickson, Deaken of the Furriers ; Andrew Williamson, Deaken of the Wrights ; William Bickertoun, Deaken of the

Maissions ; James Ker, Deaken of the Fleshers ; William Weir, Deaken of the Cordiners ; Thomas Wright, Deaken of the Websters ; William Cowtts, Deaken of the Wakers ; and William Somer, Deaken of the Bonnet-makers, for themselves, and in name and behalf, and as Commissioners for the hail Craftsmen indwellers of the said Brugh, on the uther part : And the Right Potent and Illuster Prince James, be the Grace of God, King of Scots, our Sovereign Lord, odsman and oversman, chosen be advice and consent of baith the saids parties, anent the removing of all questions, differences, and controversies, quhilks are, or has been betwixt the saids Merchants and Craftsmen, concerning whatsomever cause or occasion, whereupon debate or question did arise in any time betwixt them : And thereupon, baith the said parties being bound, oblist, and sworn, to stand, abide, and underly, and fulfil the Decreet-arbitral, and deliverance of us the saids Judges, and Overaman, but appellation, reclamatioun, or contradiction, as at mair length is contained in an submission made thereupon, baith the saids parties clames and griefs given in be them, with the answers made thereto, and their rights, reasons, and allegations being heard, seen, and considred be us, and we theirwith being ryply advisit, after many and sundry conventions and meetings, with lang travels tane hereanent, hes all in one voice accordit, decernit, and concludit upon the heads and articles following.

FIRST, To take away all differences quhilk has been heretofore concerning the persons who had the government of the Town, their number, power, or authority, and manner of their election ; it is finally accordit and decernit thereupon as follows.

MAGISTRATS. THE Magistrats and Officemen, sick as Provost, Baillies, Dean of Gild, and Thesaurer, to be in all tymes coming of the estate and calling of Merchants, conform to the acts of parliament; and gif ony Craftsman excerceand merchandize, sall for his guid qualities be promovit theirto, in that caise he sall leive his craft, and not occupy the same be himself nor his servants during the time of his office, and sall not return theirto at any tyme theirafter quhill he obtain special license of the Provost, Baillies, and Counsel to that effect.

COUNSEL. THE Counsel to consist of ten Merchants, to wit, the auld Provost, four auld Baillies, Dean of Gild, and Thesaurer of the next year preceeding, and three uther Merchants to be chosen to them, and als to consist of eight Craftsmen thereof, sex Deakens, and twa other Craftsmen, makand in the hail the said Counsel eighteen persons, and this by the Officemen of that year, to wit, the Provost, Baillies, Dean of Gild, and Thesaurer.

ELECTION. AND as to the manner of their Election, It is first generally accordit and concludit, that na manner of person be chosen Provost, Baillies, Dean of Gild, or Thesaurer, suppose they be Burgesses of the Burgh, and able therefore, without they have been an year or twa upon the Counsel off before. And anent the Counsel, the auld manner of giving in of tickets be the Deakens, out of the quhilk the twa Craftsmen were yearly chosen, to be abrogat, dischargit, cease, and expyre in all tymes coming, swa that the saids twa Craftsmen shall be chosen yearly, without ony ingiving of tickets, indiffer-

ently of the best and worthiest of the Crafts, be the saids Provest, Baillies, and Counsel allanerly; and nane to be of the Counsel above twa year together, except they be Officemen, or be vertue of their offices be on the Counsel. Sicklike, anent the lytts to be Baillies, they sall not be dividet nor casten in four ranks, three to every rank, as they were wont to be, bot to be chosen indifferently, ane out of the twelff lytts, ane uther out of eleven lytts, the third out of ten, and the fourt out of nyne lytts. Anent the Deakens, that nane be electit Deaken, except he that has been an maister of his Craft twa year at the least; and that nane of them be continued in their office of Deaken-ship above twa year togidder. Last, in general, that nane have vote in lytting, voiting, or electing of the Provest, Baillies, Counsel, and Deakens, Deam of Gild, or Thesaurer, but the persons hereafter following al- lenarly, in manner after specifit.

AND to proceed in the said Election, It is found guid to begin at the choosing of the Deakens of Crafts, quhilks are fourteen in number, to wit, Chirurgyans, Goldsmys, Skynners, Furriers, Hammer-men, Wrights, Masons, Tailycours, Baxters, Fleashers, Cordiners, Websters, Waulkers, Bonnet-makers: Swa the Deakens now present shall stand and continue quhil the third Counsel Day before the auld time of election of the new Counsel, quhilk was on the Wednesday next preceeding the Feast of Michaelmass; upon the quhilk third Counsel Day, the Provest, Baillies, and Counsel now standand, extending to nineteen persons, and fra thence furth yearly, and ilk year, the Provest, Baillies and Counsel, constitute of the said twenty-five persons, sall call

ELECTION IN
SPECIAL OF
DEAKENS.

in before them the saids Deakens of Crafts, every ane severally, and require their opinion and judgment of the best and worthiest of their Crafts. Thereafter, the saids Provest, Baillies, and Counsel, sall nominat and lytt three persons of the maist discreet, godly, and qualified persons of every ane of the saids Fourteen Crafts, maist expert hand-labourers of their awen Craft, Burgesses and Freemen of the Burgh, whereof the auld Deaken sall be ane, and cause deliver their names to the Deakens, every ane according to their Craft; quhilk Deakens, on the morn thereafter, sall assemble and convey their Crafts, and every Craft be themselves, furth of thir names sall elect ane person, wha sall be their Deaken for that year; and upon the next Counsel Day after the said Election, the auld Deakens, with some of the masters of their Crafts, sall present the new Deaken to the Counsel, quha sall authorize them in their offices.

NEW COUNSEL. . **NEXT,** To proceed to the Election of **OF DEAKENS.** the New Counsel. The said day of presenting of new Deakens, the Provest, Baillies, and Counsel, now standand of nineteen persons, and fra thenfurth, the same day yearly, the Provest, Baillies, and Counsel of twenty-five persons sall choose furth of the saids Fourteen Deakens, sex persons to be adjoyned with the New Counsel for the year to come, and to have special vote in lytting and choosing of the Provest, Baillies, and Counsel; and the same day, the auld sex Deakens, quhilk was upon the Counsel the year preceeding, to be removed, and have na farther vote for that year, except some of them be of the number of the new elected Deakens.

THEREAFTER, upon the Wednesday **NEW COUNSEL** next, preceeding Michaelmass ilk year, **OF MERCHANTS AND CRAFTS.** the Provest, Baillies, Dean of Gild, Thesaurer, and ten Merchants of the Counsel, and the said sex Deakens, and twa Craftsmen, and in the hail twenty-five persons, and twenty-six votes, be reason of the Provest's twa votes, ordinarily standand at all tymes, sall convene and choose the New Counsel, to the number of eighteen persons, to wit, the auld Provest, Baillies, Dean of Gild, and Thesaurer of that year, and the said sex Deakens to make thretteen persons thereof, and to them to be chosen three Merchants, and twa craftsmen, and thir persons to be callit the New Counsel: And gif ony person of the Merchants chosen upon the New Counsel, happens to be put on the lytt of an uther office, and promovit thereto, ane other sall be chosen in his room be the saids Provest, Baillies, and Counsel.

THRIDLY, To proceed to the choosing **LYTTS OF MAGISTRATS** of the Lytts to the Magistrats and **GISTRATS.** Office-men, sic as Provest, Baillies, Dean of Gild, and Thesaurer: Upon the Friday next thereafter, there sall convene the said New Counsel of eighteen persons, and the auld Counsel, constitute of twelff persons, viz. ten Merchants and twa Craftsmen, the said new and auld Counsel, makand twenty Merchants and ten Craftsmen, and in the hail thretty persons, by the Provest's odd vote; quhilks persons solemnaty protesting before God, that they shall choose the persons whom they find maist meet, without favour, hatred, or ony kind of collusion; then sall begin and choose the lytts to the said Magistrates and Office-men, to every ane of them three lytts; that is to say, to the Provest, twa

lytts with himself; to the four Baillies, every ane of them three lytts, the auld Baillies not beand ane, except they be new chosen thereto; to the Dean of Gild, twa lytts with himself; and to the Thesaurer, twa lytts with himself; quhilks hail lytts sall be of the order and calling of Merchants, as said is.

**ELECTION OF MA-
GISTRATS.**

FOURTHLY, To proceed to the electing and choosing of the said Magistrats and Office-men, upon the Tuesday nixt after Michaelmass yearly, there sall convene the saids thretty persons of new and auld Counsel, and with them the rest of the Deakens of Crafts, quhilks are not of the Counsel, extending to eight persons; the hail persons swa conveneand, extending to thretty-eight persons by the said odde vote, thereof twenty Merchants, and eighteen Trades; quhilks persons sall begin at the lytts of the Provost, and every ane in their awen rank give their votes to sic as they find maist meet for the well of the Town, according to their conscience and knowledge, but feid or favour; and on whom the greatest number of votes sall fall, that he be sworn, receivit, and admittit Provost for that year; and swa to proceed thorow the lytts of the Baillies, Dean of Gild and Thesaurer, quhill the said Election be compleatly endit. The saids Provost, Baillies, Dean of Gild, Thesaurer, and Counsel, electit as said is, makand in the hail twenty-five persons; they only, and na uthers, sall have the full government and administration of the hail Common-weill of this Burgh, and in all things, as the Provost, Baillies, and Counsel thereof, or of any uther burgh had of before, or may have hereafter, be the laws or consuetude of this realm, infestments and priviledges grantit to this Town be our Sovereign

Lords maist Noble Progenitors; except and always thir causes following, in the quhilks the hail fourteen Deakens of Crafts sall be callit and adjoyned with them to give their special vote and consultation thereinto, to wit, In election of the Provost, Baillies, Dean of Gild, and Thesaurer, as said is; In setting of Feus, or any manner of Tacks, attour the yearly rowping upon Martinmass-even; In giving of benefices and uther offices within Burgh; In granting of extents, contributions, emprimits, and sicklike; bigging of common warks; and in disposing of common good above the sum of twenty pound togidder.

PROVIDING NEVERTHELESS, that the Deakens, not of the Counsel, nor ony of them, beand personally warned to that effect, and absenting themselves, swa oft the last Deacone, or any uther that was in lytt with him that yeir, sall supplie their room; and they beand personally warned, and absent, the rest compearand sall have power to proceed: gif ony of the Provost, Baillies, and Counsel be absent, the rest wha are present sall choose an uther in their room. And to avoid all suspicioun that has risen in times past, through the particular assemblies, conventiouns, and convocations, contrair the acts of parliment, and to the trouble of the quyet state of this Burgh.

It is agreit and concludit, that nather the Merchants among themselves, nather the Crafts and their Deakens, or visitors, sall have or make ony particular or general conventions, as Deakens with Deakens, Deakens with their Crafts, or Crafts among themselves, far less to make privat laws,

or statutes, poind and distrenzie at their awen hands for transgressions, by the advice and consent of the Provost, Baillies, and Counsel.

DEAN OF GILD **EXCEPTAND** always, that the **DEAN OF GILD** may assemble his **BROTHER AND COUNSEL**, in their Gild Courts, conform to the ancient laws of the Gildrie, and priviledges their of; and that any ane Craft may conveyn together among themselves for the choosing of their Deaken, at the tyme appointit theirto, and in manner before exprest; making of Masters, and trying of their handiwork allanerly: And gif ony Brother, or Deakens of Crafts sall find out, or devyse any good heids that may tend to the weill of their Craft, they sall propone the same to the Magistrats, wha sall set forward an act or statute thairupon, and interpone their authority thereto, as it bees found reasonable.

COMMISSIONERS. **ITEM**, As tuitching the Commissioners in Parliament, General Counsel, and Commissioners in Conventioun of Burrows, it is thought guid be the Commonaris, that in all tymes coming the ane of the saids Commissioners for the Burgh of Edinburgh sall be chosen be the said Provost and Baillies, furth of the number and calling of Craftsmen, and that person to be an Burgess and Gild-Brother of the Burgh, of the best, expert, wise, and honest reputatioun.

AUDITORS. **ITEM**, It is agreed, that the Auditors of all the Town's comptis sall hereafter be chosen of equal number of Merchants and Craftsmen, be the Provost, Baillies, and Counsel.

ITEM, Toward the lang controversies for the Gildrie, it is finally, with common consent, appoyntit, agreit and concludit, that als weil Craftsman as Merchants, sall be received and admitted Gild-brether, and the ane not to be refusit nor secludit therefra mair nor the uther, they being Burgesses of the Burgh, als meit and qualified thairfore; and that Gild-brether to have liberty to use merchandice. Their admission and tryal of their qualificatioun to be in the power and hands of the Prevest, Baillies, Thesaurer, and Counsel, with the Dean of Gild, and his Counsel, quhilk sall consist in equal number of Merchants and Craftsman, Gild-brether, not exceiding the number of sex persons, by the Dean of Gild himself; and that no person, of whatever faculty soever he be, sall bruik the benefit of an Gild-brether, without he be receivit and admittit thereto, as said is. GILDRIE.

ITEM, That na manner of person be BURGESS, sufferit to use merchandice, or occupy CRAFTS, the handiwork of ane free Craft within this Burgh, or yet to exerce the liberty and priviledge of the said Burgh, without he be Burgess and Freeman of the same.

ITEM, Because the Merchants and Craftsmen of this Burgh are now to be incorporat in an Society, and to make an hail Town, and Common-weill, it is thought expedient, and concludit, to abrogat the former custome of dividing and setting of extents, wherein the Merchants payit four parts, and the Crafts the fifth part: And thairfore it is agried, that as they watch and waird together, swa in all extents, emprimits, contributiouns, and the like subsidies EXTENTS.

to be inposit upon the Burgh, Merchants and Craftsmen to bear the burden and charge theirow indifferentlly over-head, according to their ability and substance, throw the hail quarters of the Town, without division of the rolls in Merchants and Craftsmen in any time coming. The extontours sall be of equal number of Merchants and Craftsmen, eight persons of the ane calling, and eight persons of the uther, to be electit, sworn, and receivit be the Provost, Baillies, and Counsel, out of the maist discreit and skilful of all the Town, void of all partial affection and hatred: And that na manner of person usand the trade of Merchant or Craftsman, and occupyand the friedome of the Burgh, and able to pay any extent, not beirand the office of Provost or Baillies in the mean time, sall be any wayis exempt fra the real and actual payment thereof.

COLLECTIOUN. ITEM, As the hail body of the Town, consistand of Merchants and Craftsmen, does bear an common burden of watching, wairding, extenting, and of the like portable charges, having an common-good proper to nane, swa neidful it is for making an equal unity, and charitable concord, that there be in the hail Town but an collection, and an purse, not peculiar to any, but common to all, of the hail dewties and casualities, callit the entres-silver of prenteis-ses, upsets, owklypennies, un-laws, and sicklike, to be collectit in all times coming, and received baith of Merchants and Craftsmen, and put in an common purse; and to that effect the Merchants to take and have prentices, as well as Craftsmen, and to be astricted and obleist theirto, and na prentice always to be received of ather of them for shorter time nor the space of fyve yeirs compleit. And for the better knowledge to be had heirow, and for observing an good ordour in collectioun of the same, that

There be an common book made, and kept by the common Clerk of this Burgh present, and to come, wherein the names of all prentices to Merchants and Craftsmen, the name of their master, day of their entries, and space of their prenticeship, shall be insert and buikit; for the quhilk the Clerk shall have at their buiking of ilk person sex pennies, and for the outdraught twelf pennies, quhilk buik shall be to the prentices an sufficient probatioun of his entries, and an charge to the Collectors of said dewties. If any man be an prentice heirafter, and not put in the said buik, his prenticeship shall be to him of na effect. Alsua, be reason every industry is not of like valour and substance, it is declairit, that ilk rank or degree of prentesses shall pay, to wit, the Merchant prentice, and sic kind of people as were wont to extant with them, and are not under the said fourteen Crafts, to pay at his entres the day of his buiking to the said collection threttie shilling, and at his up-set, or end of his prenteship, fyfe pound. The prentice to an Skynner, Chirurgian, Goldsmith, Fleasher, Cordiner, Tailyeour, Baxter, and Hammer-man, at their entry and buiking, to the said collection twenty shilling, and for their up-set fyfe pund. The prentice to an Mason and Wright at his entrie thretteen shilling four pennies, and his up-set three pund sex shilling eight pennies. The prentice to a Webster, Waker, Bonnet-maker, Furriour, at his entry ten shillings, and for his up-set fiftie shillings: And thir dewties to be tane by their owkly-pennies, and dewties of their Burgeships: And to cause all persons to be mair willing to enter themselves in prenteship with the Burgeses and Frie-men of the Burgh, this priviledge is grantit to the saids prentesses, that they shall pay na mair for their Burgeship to the Dean of Gild, but fyfe

punds by the dewties foirsaidis: And in augmentation of the said collectioun, when any persons sall happen to be made Burgesses of this Burgh, wha was na prenteis to an Merchant, or Craftsman, Frie Burgess of the said Burgh, or has not compleit his prenteship, sall pay to the said collectioun, at his admissioun, the double of the haill prenteis or entres-silver, up-set and buiking, by the dewty payit to the Dean of Gild for his Burgeship, or Gildrie, quhilk is twenty pundis for his Burgeship, and fourty pund for his Gildrie; the priviledge alwayes of the bairns of Burgesses and Gild-brether not being prejudget heirby, quha sall pay the auld accustomed dewty to the Dean of Gild allenarly. Thir dewties and collectiouns, casualities of entres-silver, up-sets, owkly-pennies, un-laws, and sick-like, to be received in all times comming, of all Merchants and Craftsmen indifferently, put in the said common-purse, and imployit be the advyce and command of the Provost, Baillies, and Counsel, for support and relief of the faillyet and decayet Burgesses, Merchants, and Craftsmen, their wyves, bairns, and auld servants, and uther poor indwellers of the Town. The Provost, Baillies, Counsel, and haill Deakens, every yeir after electioun of the Magistrats, sall choose the collectors of the said dewties and casualities, of equal number of Merchants and Craftsmen, and to devyse and set down sic good ordowr as they sall find meet and expedient for the perfyte and reddie in-bringing thereof. And last, the said Collectors sall make yeirly compts of their intromissioun theirwith, at the tyme of making of the Town's compts; and sall find sufficient cautioun at their admissioun, for compt, reckoning, and payment. *Item*, it is ordained, that baith the saids parties, Merchants and Craftsmen, now present, and their successors,

shall inviolably observe, keip and fulfil this present appointment and Decreet-arbitral, and every held, clause, and article conteinit therein. Likeas, his Majesty and the saids Judges, wills and ordains them, with willing hearts to put in oblivion all bypast enormities, imbrace and entertain love and amity, and as they are of ane City, swa to be of ane mind; then shall they be acceptit of God, stop the mouths of them quhilk tuik occasion be their division to slander the truth; then shall they be mair able to do our Sovereign Lord acceptable service, and have an standing and flourishing Common-weal: And finally, his Majesty and the saids Judges will esteem their lang travels fruitfully bestowit.

ATTOUR, his Majesty and the saids CERTIFICATION
Judges, ordains the practice and exe- OF THE SETT-
cution of this present appointment and Decreet to be
and begin after the day and date hereof, and to continue, and be observit and keepit as ane perpetual law in tyme coming; and whasoever contraveins the samen, shall be repute and halden ane troubler of the quiet estate of the Common-weal, incurre the note of infamy, and forfaukt and tyne their freedome for ever; and otherwise to be persewit and punishit as seditious persons, conform to the laws of the realm, with all rigor and extremity: And ordains thir presents to be ratified and approvet in his Highness next Parliament; and, in the mean tyme, the same to be actit and registrat in the Buiks of Counsel and Session, and to have the strength of acts and decreets of the Lords thereof, and that their authority be interponit thereto, and letters and executorials to pass thereupon, in form as effeirs. And for acting and registering of the samen, makes and constitutes, Mr's John Sharp, John

Prestoun, Thomas Craig, and John Skeen, our procurators, conjunctly and severally *in uberiore forma, promittendo de rato*. In witness whereof, the saids Judges and Oversmen, togidder with the Commissioners, in token of their consents and acceptation of the premises, has subscrivit thir presents with their hands, as follows, day, year and place foresaid.

JAMES R.

Robert Fairlie of Braid.	Alexander Naper.
Archibald Naper of Edin- bellie, Knight.	James Fergusson.
James Johnstoun of El- phinstoun.	William Mauld.
John Cockburn.	John Johnstoun.
David Lindsey.	Edward Galbraith.
Robert Pont.	Gilbert Primrose.
Alexander Clerk, Provost.	John Wat.
Mr Michael Chisholme, Baillie.	James Ker. (with my hand.)
Andrew Schlatter, Baillie.	William Pringle.
John Adamsone, Baillie.	Edward Hairt.
Mr John Prestoun, Dean of Gild.	John Bairnsfather, Tail- your.
Mungo Russel, Thesaurer.	Thomas Dickson.
Robert Ker, younger.	Andrew Williamsone.
Henry Charters.	Thomas Wright.
John Morison.	William Bickerton.
John Harwood.	William Somer.
John Robertson.	Adam Newtoun.
William Nisbet.	William Weir.
	William Cowts.

with our hands at the pen led be the notars underwrit-
ten, at our command, because we cannot write our-
selves.

Ita est, Mr Alexander Guthrie, notarius publicus, ac testis in premissis, de mandatis dictarum personarum scribere nescientium, ut asseruerunt: Testantibus his meis signo ac subscriptione manualibus, Acta 14. & Maji 25. 1583.

Ita est, Mr David Guthrie, conotarius in premissis de mandatis dictarum personarum scribere nescientium: Teste manu propria.

Extractum de libro Actorum, per me Alexandrum Hay, de Eister Kennet, Clericum Rotulorum Registri ac Concilii, S. D. N. Regis, sub meis signo et subscriptione manualibus.

ALEXANDER HAY.

THE
DECREET-ARBITRAL

OF

LORD ILAY.

WHEREAS by two several submissions, dated and signed at Edinburgh, the 13th and 14th days of March 1729 years, by the Magistrates and Merchant-Council, and Deacons of Crafts, and Trades Counselors of the said Burgh, on the one and other parts, and in the behalf, and pursuant to the powers therein mentioned, several questions and differences between the said Incorporations, and the said Magistrates and Merchant-Council, touching the matters therein set forth, were submitted to me as sole Arbiter, chosen and elected by both parties, and particularly, certain processes at their instance against others, depending before the Lords of Council and Session ; and I having maturely considered the said mutual processes, with the minutes and claims, and answers, with the vouchers given in by them *hinc inde*, and heard parties procurators in my own presence *viva voce*, and having weighed the arguments on each side, and perused the precedents laid before me jointly by both parties ; I give

forth my final Sentence and Decreet-Arbitral, in manner and to the effect following: THAT IS TO SAY, FINDS, DECERNS and DECLARES, That no person who has deserted and given over the practice and exercise of his trade and occupation within the city of Edinburgh, and liberties thereof, unless he reside within the said town or liberties and at the same time subject himself to the common burdens of the Town and Incorporation whereof he is free, or who is received as a member or servant in any of the Town's hospitals, or who is a pensioner of the Town or Trade, or has or enjoys any benefit or lucrative office from the Town or Trade, or who, at any time within six months preceding, has been received, or was member, servant, or pensioner as aforesaid, or held or enjoyed such benefice or lucrative office, hath, or ought to have any vote in the election of a Deacon, or other officer of the Incorporation, or in making up leets, in order to the election of a Deacon or other officer, or to act or vote in any meeting whatsoever of any Incorporation within the said City. And further, FINDS, DECERNS and ORDAINS; That the usage and custom of presenting leets of six persons made by the several Incorporations, and attested by their respective Clerks, to the Magistrates and Council, in order to their making short leets of three for election of Deacons, be inviolably for ever observed, and that the short leets be returned by them out of the said leets of six, regularly and legally made and attested: But FINDS, DECERNS, and DECLARES, That the Council, to whom the new Deacons are to be presented, and by whom they are by the Sett to be authorized in their offices, are, by the nature of the thing, and the precedents, and consistently with the Sett,

Judges in the first instance, of questions that may be stirred concerning the right of persons claiming to be admitted into the office of Deacon; subject nevertheless to complaint, and the review of the proper Court, as accords of the law : And FINDS, DECERNS, and DECLARES, That the Provost has right to the first vote in every matter and thing, and to a casting vote, in case of an equality, and to no other or further vote in any case whatsoever : And also FINDS, DECERNS, and DECLARES, That according to the Sett of the Town, there must be three persons in every leet for the several offices of Provost, Dean of Gild, and Treasurer, and twelve persons in the leet for Bailies : But it is not determined by the Sett, whether the said leets should contain one and twenty different persons ; and the usage appears to be in the contrary, which therefore ought to prevail. And further FINDS, DECERNS, and DECLARES, That the Deacons Extraordinary, or not of the Council, have a vote in choosing proxies for the absent members of the Ordinary Council at the annual election, in all steps where they have a right to be present : And also FINDS, DECERNS, and DECLARES, That the right of calling the Council, Ordinary and Extraordinary, belongs to the Provost or Preses of the meeting ; and, upon an execution returned, of the members being summoned by the said Provost or Preses his order, thirteen of the Ordinary, and seventeen of the Extraordinary Council, may proceed and act in the same manner, as if all the members were present : But if the Provost or Preses shall happen to neglect, or shall refuse to call a Council on Wednesday, the ordinary Council-day, a majority of the said Council may, forty-eight hours preceding the ordinary and stated time of

meeting, require the aforesaid Provost or Preses, under form of instrument, to call a Council, and, upon his refusal or neglect to comply with the demand so made, the majority of the said Council may meet on the said usual and stated time, and proceed to do business: And FINDS, DECERNS, and DECLARES, That the Council, Ordinary and Extraordinary, have the sole power and right of governing the Trinity Hospital, and cannot delegate the same to any other person or persons whatsoever: And DECERNS and ORDAINS the accompts of the town to be fitted and audited within the year to which the same accompts relate, or within three months after the expiration of the said year; and that no article of depursement of the Town's money ought to be allowed, unless the same be sufficiently vouched: And FINDS and DECERNS, That the expence of all public treats ought to be previously authorized by the Council, and attested, when laid out, by two of the Council, or more, who are hereby ordained to write, or cause to be written on the bills, the date and occasion of the expence, and the person's name to whom the same was paid, or is due, and to sign the said bills and report, and produce them in Council within a month at farthest, after the said expence is incurred. And further FINDS, DECERNS, and DECLARES, That the said Extraordinary Deacons of Crafts have right to give their special vote and consultation, annually in electing and chusing the members of the Dean of Guild Court of Edinburgh; but that they have no vote in the election of the officers of the Train-bands, the Constables, and Bailies of the public markets of the City, and their Assistants, Kirk and College Treasurers, Stent-masters, and Auditors of the Town's accompts; nor in electing and chusing

the Baron Bailies of the Suburbs, namely, the Bailies of Leith, Canongate, Portsburgh, and Caltoun, the Magistrates and Ordinary Council having the only right of chusing the said officers. But FINDS, DECERNS, and DECLARES, That the said Extraordinary Deacons have a right, and ought to be adjoined with the Ordinary Council, at least ought to be legally called for that end, when they are to proceed to the election of Provost, Bailies, Dean of Guild, or Treasurer, or to set feus or any manner of tacks, attour the yearly rousing on Martinmas Even; or to give benefices, and other offices within the Burgh; or to grant extents, contributions, emprimets, and concerning public buildings, or to dispose of the common good, above the sum of twenty pounds Scots together. And further, FINDS the said Extraordinary Deacons have right to vote in chusing Committees for deliberating upon, and preparing all or any of the said matters, and are also capable of being members of the said Committees. And as to the article of Commissioners for and from the Burgh, which includes a case relating to the privilege of Parliament, the same is hereby to receive no determination, of consent and at the desire of both parties. And also, DECERNS and ORDAINS the minutes of Council to be read and signed in open Council, the next Council-day immediately after they shall have received a second reading. And touching the office of Convener, and the meetings of Deacons and Craftsmen among themselves, FINDS the office of Convener has the authority of too long usage, and has been too much admitted by the Magistrates and Council, to be at this time called in question, and that the meeting of the Deacons has been also long practised; but that, by the Sett of the Town, neither the Mer-

chants among themselves, nor the Crafts and their Deacons or visitors, can have, or make any particular or general conventions, as Deacons with Deacons, Deacons with their Crafts, or Crafts among themselves, without the advice and consent of the Provost and Council, excepting the cases in the said Set particularly excepted; and that the meeting said to be frequently held the first Tuesday after Michaelmas, in the manner, and with the circumstances the same is particularly set forth in the Declarator of the Merchants, can in no ways be contained in the said exceptions. And FINDS, DECERNS, and DECLARES, That by-laws, made by the Incorporations for themselves, are of no force, unless they are ratified by the Magistrates and Council. But FINDS, That the said Magistrates and Council have no power to make by-laws whereby the said Incorporations and their successors can be bound to admit all such persons as shall request the same, and shall appear to the Magistrates and Council to be well skilled and qualified to occupy and practise in their Crafts, upon payment of such valuable consideration as should be rated and determined by the said Magistrates and Council. And likewise FINDS, That they have no power to controul the management of the several stocks belonging to the said Incorporations, or to make by-laws concerning the same. And this I give forth as my final sentence and Decreet-arbitral betwixt the said parties; and DECERNS and ORDAINS them to abide by, and fulfil the same, each to other, in all time coming. In witness whereof, I have subscribed these presents, written on this and the preceding page, by Henry Pujolas my servant, at London, the twelfth day of March 1729-30, before these wit-

nesses, Richard Lancashire, and the above said Henry Pujolas, my servants.

ILAY.

RICHARD LANCASHIRE, witness.

HEN. PUJOLAS, witness.

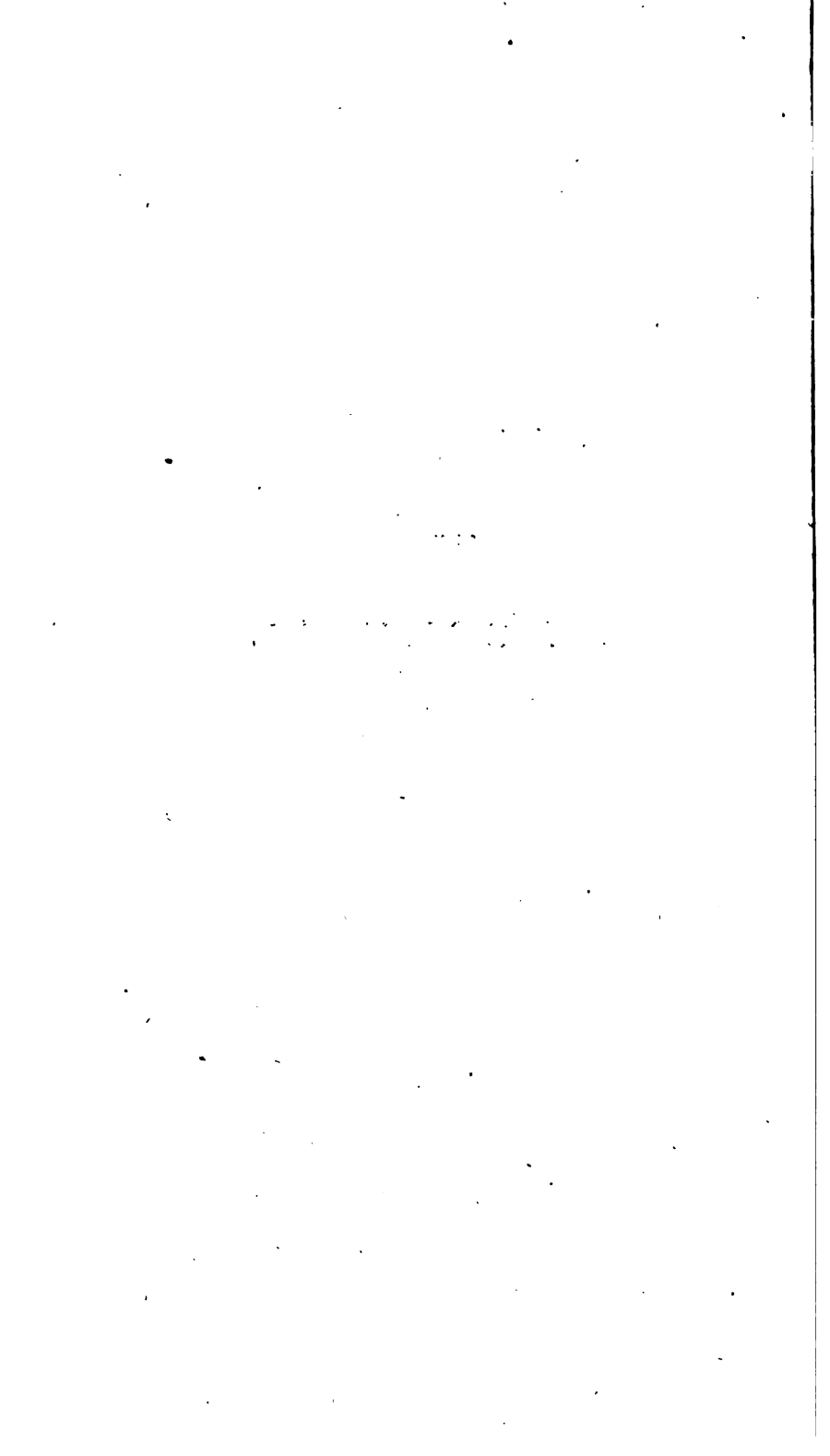
A C T S

OF THE

TOWN-COUNCIL

OF

EDINBURGH.



ACT determining the time how long the Lord Provost, Baillies, Dean of Gild, and Thesaurer of the said Burgh, ought to continue at one time in their respective offices.

At Edinburgh, the first day of October, One thousand six hundred and seventy-eight years.

THE which day the Lord Provost, Baillies, Council, and Deacons of Crafts, Ordinar and Extraordinary, being convened in Council, taking to their serious and impartial consideration, that the laws of this and all other well-governed nationes, doe oppose most vigorouslie the perpetuating of Magistrats within towns and burghs, as that which inhances the government (that ought to be alterable, according to the merits of the citizens) into the hands of on, or very few, who may easilie thereby exclude other well-deserving neighbours from the government, and might appropriat or embeasle the common-good at their pleassour, and thereby wreathe an insupportable yoke upon the neck of their fellow-citizens, and upon the place of their nativity and residence : And having, by experience, found many moe disadvantages rising by such unwarrantable and affected elections, and that even amongst the best persones, whom tyme and opportunity did too frequently tempt and corrupt ; in so far as it was found necessary, by our predecessors, to be precise and special as to the tyme of the continuations of their Magistrats ; which, according to the nature of all laws, they did enact in general terms, not having an eye to any

particular persones; well forseing, that albeit some persones in the government of the Burgh, might, for on or two yeares, behave themselves to the satisfacione of the neighbours, knowing their tyme to be determined and fixed by law; yet that the same persones, continowing longer, being left to their own freedome and libertie to perpetuate themselves in the government as long as they could by faction and interest, might, in proces of tyme, degenerate and prove corrupt; and that the inconveniencies in removing such deserving persones from the government of the Burgh, cannot by many degrees ballance the innumerable and vast ill consequences which naturally and inevitably attend the indefineteness and undeterminateness of the tyme, in relation to the continowance of the Magistrates within this Burgh; especially seeing the affairs of the city can sustain little or no prejudice by the Councils being necessitate to remove from the government persones who have given proof of their integrity during their administration; in regaird the remedy is in their own hands, and they may, out of a dew resentment of former good services, elect of new the saide persones within few years efter they are removed from the Magistracy. Upon all which considerationes (and in respect that in this Metropolitan city of the kingdom, there is alwayes a sufficient number of able and well-qualified citizens fit for the Magistracy thereof) the Council, upon the fifth day of October 1658 yeares, lying aside their own interest, and the consideration of the power they then possest, did pass an act, declaring, That the Lord Provost, Dean of Gild, and Thesaurer of this Burgh, should not continowe longer in their respective offices, then on, or, at the most, two yeares together at on tyme; and that the Baillies of this Burgh should be but on

year Baillie, on year Old Baillie, and on year free of office; and should not be put upon the leits to be Bailies till these yeares expired. Under which act the neighbours lived happily, until Michaelmas 1664 yeares, at which tyme the said act was rescinded. And thereafter, the Good Town having found too much the inconveniencies that followed that rescission, the same did necessitate some of the citizens to raise a declarator of the Town's priviledges before the Lords of Session; the result of which process was, that the saids Lords, by their just and wise sentence in February 1673 yeares, decerned, for preventing all future in-croachments upon the Town's priviledges in that poynt, that the said act should be revived and further secured, by adjecting a considerable penalty, and an oath, which everie Magistrate and member of the Council is to take the day of the election of the Magistrates, for the more inviolable keeping and observing of the said act: And in the same sentence and decreet of the Lords of Session, the said act is at length said ~~verbatis~~ insert as their decerniture, and made a part of the fundamental government of the Good Town: And accordingly, ever since, upon the election day, the said oath is administrat and taken by the whole Council. And the present Council being highly sensible of the many good effects which have followed the observance of the said acts for several yeares past; and being desyrous to shew how willing they are that well-deserving citizens should have a share in the government of the City by turns, in which they hope that every on of them will, by a generous emulation, exceed one another in their care of, and kindness to, the Good Town; and to extinguish all hopes of perpetuating the power in their own hands, or in the hands of such as shall be advanced

thereto in tyme coming; and to prevent all sydings and factions amongst the inhabitants upon such designs, whereof the Council are very confident (seeing now persones are removed from the Magistracy, not out of humour and pique, as was formerly supposed, but by the appointment and determination of the law :) They have therefore ordained the saids acts to be printed, that none of the neighbours may pretend ignorance, but may regulate themselves accordingly: Of which acts the tenor follows:

At Edinburgh, the Fifth day of October, One thousand six hundred fifty eight years.

THE which day the Lord Provost, Baillies, and Council new and old, and whole Deacons of Craftes, Ordinar and Extraordina, being convened in Counsell, and (having called upon the LORD for a blessing upon their affairs and indeavours) taking it to their serious consideration, the great prejudice which this City, and good government thereof, has sustained by the long continuance of Provests, Dean of Gild, and Thesaurers, in their places, and the too great precipitancy which has been practised in bringing in of Baillies to place and office, befor their ordinarie course and season: For remeid whereof, and to the effect that love, concord, and unity may be kept, not only amongst the wholl Counsell, but also amongst the neighbors and inhabitantis of this City; It is unanimously agriet upoun, statute and ordained, that, in all tyme coming, the Provest, Dean of Gild, and Thesaurer of this Brugh, sall not be elected or continowed in their respective offices, longer than on, or at most twa yeires

togidder at on time; and that the Baillies of this Brugh, in all tyme heirefter, sall only be on yeir Baillie, on yeir Old Baillie, and on yeir free of office; and sall not be put in the lyttis to be Baillie, untill those yeires be past. And further, it is statute and ordained, That whoever hes bein, or sall be Dean of Gild, is, and sall be always heirefter capable to be lyttit and chosen Baillie, as the Counsell sall think fit: And that no Thesaurer sall be capable to be lytted for, or elected a Baillie, till such tyme as the accomptis of his intro-missioun, the tyme of his being Thesaurer, be fitted and approvin be the Counsel. And for the better observance of the premisses, ordaines this present act ilk yeir to be solemnly read in presence of the Counsel, the day of making the lyttis of the Magistratis, befor the Counsell proceid to the making of the lyttis. As also, upon the day of electioun of the Magistratis, befor the Counsell doe anie thing in relatioun to the said election, that none may pretend ignorance.

At Edinburgh, the fourth day of March, One thousand six hundred seventy-three years.

THE which day, the Provest, Baillies, Council, and Deacons of Crafts, Ordinar and Extraordinar, being conveened in Council, taking to their serious consideration ane act made by the Provest, Baillies, and Council for the tyme, bearing date the fyfth day of October, One thousand six hundred fifty-eight years, whereby, upon the great and weighty considerations therein mentioned, it was statute and ordained, that in all tyme coming, the Provest, Dean of Gild, and Thesaurer of this Burgh, should not be elected nor conti-

newed in their respective offices, longer than ane, or at most twa years together at ane time; and that the Bailies of this Burgh in all time thereafter, should only be ane yeare Baillie, ane yeare Old Baillie, and ane yeare free of office; and should not be putt in the Leitts to be Baillies, until these years be past, as at more length is contained in the said act: And finding, that the said act is in itself most just and necessar for the geod of this Burgh, and conform to the lawes and acts of Parliament, made anent the election of officers as Magistratts within this Burgh; Therefore the Council does RATIFIE, APPROVE, and REVIVE the said Act, in the whole heads, articles, and clauses of the samen; and ordaines the samen to have full effect, and to be putt to execution in all tyme coming; and declairs this present general ratification to be as valide and effectuell, as if the said act were herein particularly insert: Whereanent the Council have dispensed, and hereby dispenses for ever. Likeas the Council does rescind and annul all former acts which are any wayes prejudiciall to, or inconsistent with the said act: And particularlie, doe rescind and annul an act bearing date the fourth day of October, One thousand six hundred sixty-four years, rescinding the foresaid act, bearing date the fyft day of October, One thousand six hundred fyfty-eight years; and declairs the said last act to be void and null, and to be prejudicial and derogatorie to the lawes and acts of Parliament, and to the Sett and Decreet-arbitral, and the fundamental liberties and Privileges of this Burgh. Likeas, the Council being desirous that the forsaid act, of the date the fyft day of October, One thousand six hundred fyfty-eight years, should be inviolable observed in all tyme coming; and that all practices, invasions, and violations

thereof, may be the better prevented, the Council doe **STATUTE** and **ORDAINE**, That the Provost, Bailies, Councill, and Deacons of Crafts, Ordinar and Extraordinary, for the tyme, shall take an oath for the inviolably observing of the said act in all tyme coming, and that, directly nor indirectly, they shall doe nothing prejudiciall thereto; and which oath is to be yeirlic administered, and taken by the Provost, Bailies, Dean of Gild, Thesaurer, and whole Council, having vote in the election of the Magistratts: And that immediately before their going about the said election, the said act is to be publicly red in Councill, and the oath administered. And farther, the Council doe statute and ordaine, That all elections hereafter to be made, that are not conforme to the said act, shall be, *ipse facto*, void and null; and the persons swa to be elected, declaired to be incapable of bearing any office of Magistracie within the said Burgh, longer than is prescribed by the said act; and the electors of any persons as Magistratts, contrair to the said act, to be holden and repute as unfamous persones, and invaders of the just liberties and privileges of the said Burgh, and lyable in the soume of ane thousand merks Scotts money, each one of them to be applyed be the sight and advice of the Lords of Privie Councill, and Lords of Session, for the common good of this Burgh; and the penalty of five thousand merks, money foresaid, to be inflicted upon such persones as shall happen to be elected contrare to the said act, in case they doe attempt to exerce any office within the said Burgh, otherwayes then is prescribed be the said act, and are declaired by thir presents, and that with all rigour. And it is hereby expreslie provided and declaired by thir presents, that

execution shall pass hereupon for the implement and fulfilling of every poynt, clauss, and penaltie of this act, at the instance of any merchand, that hes been, or hereaftir shall be members of the Council of this Burgh; or at the instance of any tradesman, that hes been, or shall hereaftir be members of the Council of this Burgh; or shall hereaftir be Deacons of Crafts, or Crafts-counsellers in any tyme coming, and that against the contraveeners and breakers of this present act. Likeas it is hereby declared, That it sall be lawfull and compitent to any persone to protest against any such illegal elections, and which protestations the clerk is to insert in record, and that the same sall be repute to be true and faithful service for the good and interest of this Burgh. And lastly, The said Lord Provest, Baillies, and Council, for the better security of this present act, in all poynts, does, by their solemn oath, *in verbis de presenti*, protest before God Almighty, that they sall observe this present act, in all the heads, clausses, and articles thereof, inviolably in all tyme coming. And, for the more security, the saids Lord Provest, Baillies, and Council, consents to the registration hereof in the Books of Sederunt of the Lords of Session, or the ordinar Books of the saids Lords of Council and Session, to have the strength of ane decreet of their Lordships interponed thereto, that letters and executorials necessary may pas hereon, and the horning on a simple charge of sex dayes allenarly: And, for that effect, constituts Mr John Lawder advocate, their procurator. In witness whereof (written be William Mackie, writer in Edinburgh), they have subscribed thir presents with their hands, day, place, and yeare of God foresaid, befoir thir witnesses,

Mr Robert Lawder, portioner of Belhaven, writer in Edinburgh, and Alexander Gay, writer there, inserter of the date and witnesses.

Sic subscribitur,

A. Ramsay, Provost.	David Swintoun.
Thomas Calderwood, Bail- lie.	John Jossie.
John Hall, Baillie.	Lawrence Adinstoun.
Alexander Pitcairn, Baillie.	Alexander Bullerwall.
Robert Learmond, Baillie.	Robert Elliot.
Walter Borthwick, Dean of Gild.	George Gardner.
Thomas Robertson, The- saurer.	Hary Barclay.
James Currie.	Thomas Camble.
John Johnstoun.	Edward Cleghorn.
Andrew Cheyn.	James Paterson.
William Binning.	Robert Newl
David Boyd.	David Muir.
Francis Kinloch.	John Carss.
Mungo Wood.	George Johnstoun.
William Carmichael.	William Stevenson.
James Riddel.	W + H. William Hopkins, his mark.
	Ro. Lawder, } witnesses.
	Alex. Gay, }

The principal act, subscribed upon the back by the Lord President of the Session, is registrate in the Books of Council and Session, and kept amongst the Warrants of the said Decreet.

The Council of Edinburgh has, at all their respective Elections, ever since the said decret of the Lords

of Session, sworn to the inviolable observation of the said act, and their names are recorded in the Council Books of the said Burgh.

At Edinburgh, the Twelfth Day of August, One thousand seven hundred and twenty-six years.

THE which day, the Lord Provost, Magistrates, and Council, with the Deacons of Craft, Ordinary and Extraordinary, considering, That for the ornament and improvement of this City, and for increasing of the annual revenue thereto belonging, tacks of several parts of its property have been granted, namely, of the waste ground lying within the same and its liberties, and that for long terms of years, and at small and inconsiderable tack-duties, for enabling tacksmen to have made such ornament, and to have carried on such improvements, by building of tenements, houses, shops, and cellars, thereon. Considering likewise, That such tacksmen and their assignies have not only been reimbursed of the whole expence by them bestowed on building of such tenements, houses, shops, and cellars, by the profits that have thence to them arisen; but also, that they have thereby profited considerably; yet that thro' inadvertency, prolongations of such tacks have been granted from time to time, at the foresaid low tack-duties, contrary to the intention for which such tacks were originally granted; and whereby the Good Town has been extremely prejudged. Considering also, That the state of the revenues belonging to this City, and of the regular expence thereon chargeable, is such, as not only doth necessarily require the foresaid tenements, houses, shops, and cellars, on the

expiration of the said tacks and prolongations, and all other tenements, houses, shops, and cellars, belonging in property to this City, should not be leased out, or tacks or feu-rights thereof granted, for any rent or duty below two third parts of the real rent thereof, free of all demands, on account of reparation thereto necessary, and of public burdens thereon chargeable; but also, that no part of the other property belonging to this City should be set in tack, or feued out, for any rent or duty below the real rent thereof. Considering further, That this City is restrained by law from contracting any debt, whereby, unless its annual revenue be sufficient to defray its annual regular expence, and be even sufficient to defray what expence may be occasioned by a calamity or accident, it will be a discouragement to any to succeed to the administration; and that the revenue cannot be made sufficient to these purposes, otherwise than by a strict adherence to the rules hereby laid down: Therefore, the said Lord Provost, Magistrates, and Council, with the Deacons of Craft, Ordinary and Extraordinary, do hereby statute and ordain, That neither they, nor their successors in office, shall hereafter, on any pretext whatever, during the currency of any tack or tacks, of all or any of the aforesaid houses, tenements, shops, or cellars, grant any prolongations thereof, till within twelve months of their expiration; and that they shall not grant any new tacks or feu-rights thereof, or of any other houses, tenements, shops, and cellars, belonging in property to this City, for any rent which shall be below two third parts of the real rent thereof, nett and free from any demand or deduction, on account of reparations thereto necessary, or of public burdens thereon chargeable; and that neither they nor their said successors in office, shall hereafter, on any pretext

whatever, feu out, or set in tack, any part of the property belonging to this City, other than that of the houses, tenements, shops, and cellars, before mentioned, for a feu-duty or rent which shall be below the full real rent thereof. And for avoiding any doubt or dispute that may arise touching the amount of the aforesaid real rent, either with regard to a tack or feu-right; It is hereby statuted and ordained, That for hereafter no tack or feu-right of any part of the premisses shall be made or granted, till the amount of the real rent thereof be instructed *scripto*, or by the oaths of unexceptionable witnesses; otherwise that the same be set or feued to the highest bidder, at a public roup, duly advertised for at least the space of twenty days previous thereto: Provided nevertheless, That it shall be still leisome and lawful to the said Lord Provost, Magistrates, and Council, and their successors, to grant tacks or feu-rights of all or of any of the mills belonging to this City, on such terms and conditions as shall to them appear to tend most to the advantage and benefit of this City, any thing herein contained to the contrary notwithstanding. And to the effect that thir presents may be inviolably observed, the said Lord Provost, Magistrates, and Council, with the Deacons of Craft, Ordinary and Extraordinary, do hereby statute and ordain, That an oath, according to the *formula* hereto subjoined, shall be taken and swore to by them and their said successors, in manner after mentioned, *viz.* by themselves on the Council-day next hereafter, and by their successors annually, on the Council-day when the Lord Provost and Magistrates are elected, immediately after their election. Further statutes and ordains, That if the Lord Provost, or any of the Magistrates and Council, or if any of the said Deacons of

Crafts, Ordinary and Extraordinary, and their said successors, shall, after the said times appointed for taking of the said oath, and the same being tendered to them, presume to proceed and act by virtue of their offices, until they take and swear the oath as before mentioned, shall thereby, without any declarator to that purpose, not only forfeit their said offices, but shall also forfeit their titles to the freedom of this City. Likewise statutes and ordains, That all feu-rights and leases of any part of the aforesaid property, which shall be made and granted contrary to the tenor and intent hereof, shall be deemed to be void and null; and the clerks, and their successors in office, are not only hereby discharged from extending any feu-right or lease contrary to the tenor and intent hereof; but also they are hereby ordained, to read thir presents in Council, and to tender the aforesaid oath to the whole members, as before directed, and to mark the names of such members as shall refuse to take and swear the same, on pain of forfeiting their offices. Also statutes and ordains, That henceforth, in the month of October annually, a list shall be made out by the Good Town's accomptant, of all shops, houses, cellars, and others aforesaid, belonging to this City, the tacks whereof are to expire within the term of one year next thereafter; and that for the perusal of all concerned, the aforesaid list, so soon as made annually, shall be affixed to pasteboard, and hung up in the Council Chamber; and that the Commissioners from this City to the Convention of the Royal Burrows lay thir presents before the said Convention, and desire that the same may be by them approven, and that their authority may be thereto interponed. Extracted by

ADAM WATT.

FORMULA OF THE FORESAID OATH.

I A. B. in the presence of the Almighty God, do sincerely promise and swear, That directly or indirectly, I shall not consent to the granting of any feu-right, or to the granting or prolonging of any lease of any part of the property belonging to this City, contrary to the tenor and intent of this Act: but that I shall oppose the same to the utmost of my power. So help me God.

ACT settling and determining the Place at which the Merchants and Craftsmen are to assemble themselves, on the appearance of any Mob or Disorder.

At Edinburgh, 3d August, 1797.

THE Lord Provost, Magistrates, and Council, with the Deacons of Crafts, Ordinary and Extraordinary, in Council assembled, having taken under their serious consideration, That upon the 7th of September last, a number of unknown, dissolute, wicked, and disorderly persons got into this City, and did surprise the City-Guard, and broke open the doors of the prison, and did commit a most barbarous and inhuman murder, which has been attended with consequences very pernicious to this community. Further, considering, That for the peace and preservation of this City, and its just rights and privileges, necessary it is, That all possible precaution be speedily taken to prevent the like for hereafter, wherein every citizen and inhabitant are by many ties bound, to assist; and

that one useful precaution is, to fix and determine proper places, at which the Magistrates, with the Merchant-Council, the Master and Assistants of the Merchant-Company, the Deacon-Convener, with the whole Deacons of Crafts, and their respective Box-masters and Quarter-masters, with the Preses of the Society of Barbers, and their Box-master and Quarter-master; the Societies of Captains, Lieutenants, and Ensigns; the Society of Constables, and the Society of Fire-masters, with their respective companies, may severally assemble themselves upon the first appearance or notice of every uproar, mob, or tumult, which shall happen within this City, or within any of its privileges, without waiting for any warning or notice by beat of drum, or alarm-bell, or any other manner of way; that thereupon means and endeavours may be concerted and directed by the Magistrates themselves, or by the Magistrates with the Council, necessary to prevent or suppress such uproars, mobs, or tumults, whereby this City may be effectually secured against such surprises as happened during the time of the aforesaid mob: Therefore, the Lord Provost, Magistrates, and Council, with the Deacons of Crafts, Ordinary and Extraordinary, did, and hereby do unanimously EN-ACT and ORDAIN, That hereafter, the places at which the Magistrates and Council, and the several Societies herein before and after mentioned, shall assemble themselves (upon the first appearance or notice of every uproar, mob, or tumult, which hereafter may happen, without waiting any warning or further notice, as herein before mentioned) shall be as follows, viz. The Magistrates and whole Merchant-Council, with the Master of the Merchant-Company, and his Assistants, at the Council-Chamber; the Deacon-Convener,

and the other thirteen Deacons of Crafts, with their respective Box-masters, and respective Quarter-masters, together with the Preses of the Barbers, and their Quarter-masters, at the Burrow-Room; the Society of Captains, Lieutenants, and Ensigns, at the Laigh Council-House; the Society of the Constables, at the Lobby to the Inner Session-House; the Society of Fire-masters, with their several companies, at that place in the Outer Parliament-House where the Sheriff-Court sits for the administration of Justice. Further, It is hereby ENACTED and ORDAINED, That the several members of the said Merchant-Company, and aforesaid Societies of Deacons, Preses, Box-masters, with their said Quarter-masters, Captains, Lieutenants, Ensigns, Constables, and Fire-masters, with their companies, do accordingly assemble themselves at the foresaid respective places, to be ready to receive and execute what orders and directions shall be given, either by the Magistrates themselves, or by any of them, or by the Magistrates and Council, touching the emergent upon which they are assembled, and that under the pain and penalty of one hundred pounds Scots money, to be paid by every offender to the Kirk-Treasurer, and his successors in office, for the use of the common poor, for every offence which shall be committed knowingly and willingly against this ordinance. Also, it is hereby ENACTED and ORDAINED, that the Store-keeper, the Mace-bearer, the Dean of Guild Officers, and the sixteen Town Officers in their livery coats, with their halberts, and their respective successors in office, do severally attend the Magistrates and the Council-Chamber, when and so often as they shall be assembled there, upon any apprehension of disturbance or disorder from mobs or riots, on pain of deprivation

from their respective employments. Likewise it is hereby **ENACTED** and **ORDAINED**, That copies of the act of Parliament made against mobs and riots, be delivered to the members of the said several Societies, that they may attend thereunto. Further, it is hereby **ORDERED**, That thir presents be printed and proclaimed, and that copies hereof be affixed on all the public places, as usual: Also, that copies hereof be delivered by the Magistrates, or by any of them, to the aforesaid several Societies, that they may give attention thereto, at such times and places as shall be directed by the Magistrates, or by any of them. Also, it is hereby further **ORDERED**, That thir presents shall be annually read in the common Council by the common clerks, immediately after the election of the Magistrates; and that the same shall be annually read in the several meetings of the fourteen Corporations of Craftsmen, by their respective clerks, immediately after the election of their Deacons, Box-masters, and Quarter-masters; and that the same shall be read annually by the clerk to the Merchant-Company, immediately after the election of the Master and Assistants; and that the same shall be read annually by the clerk to the Barbers, immediately after the election of the Preses and Quarter-masters, under the pain and penalty of fifty pound Scots money foresaid, to be paid severally by the common clerks of the City, by the clerks of the fourteen Corporations, by the clerk to the Merchant-Company, and clerk to the Barbers, to the Kirk-Treasurer, and his foressaids, for the use of the common poor, for every neglect or refusal, in not reading thir presents as herein before directed. Likewise it is also hereby **ORDERED**, That thir presents be annually read among the said Socie-

ties of Captains, Lieutenants, and Ensigns, by the Captain-Commandant and his successors, and among the Fire-masters, and their respective companies, by their Preses, and his successors, upon the second Wednesday of October annually; and that the same be also read annually among the Society of Constables, by their Moderator, immediately after his election, under the like pain and penalty of fifty pound money foresaid, to be paid severally by the said Commandant, Preses, and Moderator, to the Kirk-Treasurer, and his foresaids, for the use before mentioned, for every neglect or refusal, in not reading thir presents, according to the aforesaid direction. And, under the like penalty of fifty pound money foresaid, the respective clerks to the said fourteen Corporations of Craftsmen, are hereby ordered to make out a list of the names of their Box-masters and Quarter-masters, annually, containing the places of their several abodes, and to deliver the same to the common clerks of this City, within the space of ten days next after every election. Also under the like penalty, and within the like space of time, the clerk to the said Merchant-Company is hereby ordered to make a list of the names of the Master and Assistants, within ten days of their election annually, containing the several places of their abode, and to deliver the same into the common clerks of this city. And the clerk to the Barbers, under the like penalty, and within the like space of time, is hereby ordered to make out a list of the names of their Preses, Box-master, and Quarter-masters, immediately after their election annually, containing the several places of their abode, and to deliver in the same to the common clerks, who are hereby ordered, from the above lists, to be made out and delivered in, as herein before men-

tioned, and from the records of Council, to make out a list of the said Masters and Assistants of the Merchant-Company, of the said whole Box-masters and Quarter-masters of the said fourteen Corporations, of the said Preses, Box-masters, and Quarter-masters of the Captains, Lieutenants, and Esquires, of the Constables, and of the Fire-masters, and their several companies, containing the several places of their abode; and to affix one copy thereof on the inner-wall of the Council-Chamber, and another copy thereof on the inner-wall of the Laigh Council-House, and a third copy thereof on the inner-wall of the Guard-room, and that annually, within the like space of ten days, after the receipt of the foresaid lists from the other clerks before named, under the like penalty of fifty pound money foresaid, for every neglect or refusal.

Extracted,

GEO. IRVING.

ACT for preventing Mobs and Tumults, and altering the Places where the Merchants and Craftsmen are to meet, upon the appearance of any Insurrection.

At Edinburgh, 12th September, 1777.

WHICH day the Right Honourable the Lord Provost, the Magistrates, and Council, with the Deacons of Crafts, Ordinary and Extraordinary, of the City of Edinburgh, being assembled, the Lord Provost represented to the Council, That several late publications handed about in this City, have a strong ten-

dency to excite mobs and riots within the City and liberties, which he, as Chief Magistrate, thinks it his duty to take every method to prevent; especially as it is well remembered, what tumult and disorder arose in this city at the last annual election, to the disgrace of good government, the damage of individuals, and breach of his Majesty's peace: That in the act of Council, dated 3d August 1737, entitled, "Act settling and determining the places at which the Merchants and Craftsmen are to assemble themselves on the appearance of any mob or disorder," [*See the preceding Act,*] an alteration is necessary, as to the places where the Magistrates and Council, and other Societies, are to assemble, instead of the Council-Chamber, Burrow-room, and Laigh Council-house: and therefore moved, That other fit places be fixed upon for that purpose; and that the Society of Candlemakers be added to the other Societies, who are ordered to attend by that act of Council: That, for his own part, he was resolved to act as his duty required, and, to the best of his judgment, for the preservation of the peace and good order of the community, where he had the honour to preside; and doubted not his brethren in the Magistracy, and other members of the Council, would do the same: but as this opportunity offers, when every member of Council is present, he thought it highly proper to have their advice as to the most effectual means to prevent and suppress such disorders. Which being considered by the Magistrates and Council, they, with the Deacons of Crafts, Ordinary and Extraordinary, do unanimously hereby ENACT and ORDAIN, that, in time coming, the places of assembling be altered so far, and be fixed as follows, viz. For the Magistrates and whole Merchant-Council, with the Master of the Merchant-

Company and his Assistants, at the present Council-Chamber, formerly called the Laigh Council-house; for the Deacon Convener, and the other thirteen Deacons of Crafts, with their Box-masters and Quarter-masters, together with the Preses of the Barbers, and Preses of the Candlemakers, and their respective Quarter-masters, at the High Justiciary Court-house; and for the Captains, Lieutenants, and Ensigns of the Train Bands, at the Goldsmith's Hall; and that the Preses and Quarter-master of the Candlemakers do assemble themselves accordingly, to the effect, and under the penalty mentioned in the said act. And, in general, the said Society of Candlemakers, and their clerks and other officers, are hereby added to, and included in the foresaid act of Council, in the same way as the Society of Barbers are, or may be. And do **RESOLVE** and **AGREE**, that the said act of Council, with these alterations, as to the places of assembling, and the addition of the Society of Candlemakers, be punctually observed in all time coming; and recommended to the Lord Provost and Magistrates to enforce obedience thereto. And farther require and enjoin the Deacon or Preses of the respective Incorporations and Societies above named, at their meeting to-morrow, and at every annual election, strictly to charge the several members to do their utmost to prevent their servants, apprentices, and others in their families, or under their authority, from being anyways accessory to, or concerned in mobs, tumults, or uproars, and to warn them of their danger; and appoint extracts hereof to be given out, without abiding a reading in Council.

*Extracted forth of the Council records of the City of
Edinburgh, by*

JOHN DUNDAS.

ACT relating to the Treasurers making Payments,
and getting Charters signed.

Edinburgh, 24th January, 1729.

THE Lord Provost, Magistrates, and Council, with the Deacons of Crafts, of the City of Edinburgh, being in Council assembled, and considering, That inconveniencies have and may arise by Treasurers making partial payments, without express warrants of Council; Therefore do hereby ENACT and ORDAIN, That no payment that shall hereafter be made by any Treasurer in behalf of the Town, shall be allowed, unless there be a warrant extracted and signed by the clerk. And further, do STATUTE and ORDAIN, That no Charter or Precept of *Clare constat* shall hereafter be presented to be signed, till payment of the by-gone feu-duties, and composition be thereon marked and signed by the Treasurer for the time being. *Extracted.*

ACT of Council, anent the revising of Writings granted to or by the City of Edinburgh.

Edinburgh, 10th November, 1738.

THE Lord Provost, Magistrates, and Council, with the Deacons of Crafts, of the City of Edinburgh, being in Council assembled, and considering, That from experience it does appear, that errors and mistakes have been made, both in Writings granted by and to the City-Treasurer, in behalf of the City, detrimental to the Community, which could not be charged on any

particular person, by reason that hitherto there was no rule, whereby the revisal of such Writings was committed to any particular person : Therefore it is hereby ordered, That hereafter the City-Treasurer, nor his successors in office, shall neither receive any Writing or Security to be granted to him for the use of this City, nor shall sign any Writing or Security to be granted by him in behalf of this City, till the same shall be revised and examined by one of the clerks to the City, and marked so by the initial letters of the revisor, and the revisor to be answerable for any error or mistake that may be in the same. And ordered, That thir presents be read annually upon the Election-day immediately after the Election of the Magistrates.

ACT of Council, settling an annual Salary of 300*l*.

Sterling on the Lord Provost and his Successors, for maintaining the dignity of the Chair.

Edinburgh, 10th Sept. 1718.

THE Lord Provost, Magistrates, and Council, with the Deacons of Crafts, of the City of Edinburgh, being in Council assembled ; and taking into their consideration the inconveniencies which have arisen to the Good Town, and to the office of Lord Provost thereof, from the practice of giving earnest-money at the roup of the Common Good ; from the secret acknowledgments made in money, or otherwise, by persons who come into lucrative offices ; and from the gratuities of the same kind, given by those who obtain feus, or tacks of houses, lands, and other branches of the Town's revenue : Having found, That the money ordinarily paid to the Lord Provost for wines, house-rent, burgess-

tickets, &c. does exceed the sum of two hundred pounds Sterling *per annum*, and, including acknowledgments and gratuities, may be reckoned to exceed the sum of three hundred pounds Sterling, when taken at a medium of years : And considering how reasonable it is, the Lord Provost should be enabled to support the character, and defray the necessary expence of his office, and that it is of use for establishing regularity in the Good Town's affairs, honourable to the Community, and particularly to the Office of Lord Provost, that a certain sum be agreed on, to be annually paid to the present Lord Provost, and his Successors in Office, in lieu, place, and stead of all emoluments, ordinary and casual, (the ordinary fee of twenty pounds Scots excepted) which have, or may pertain to the Office of Lord Provost ; particularly, in lieu and place of the money usually paid for wines, house-rent, burgess-tickets, earnest-money, &c. Do therefore STATUTE and ORDAIN, That the sum of Three hundred Pounds Sterling be paid to William Neilson, Esquire, present Lord Provost, in name of Salary for the year, commencing at Michaelmas 1717, and ending at Michaelmas 1718, and annually thereafter, in the month of September, to him, and his Successors in Office, during the years thereof ; and that Robert Wightman, present City-Treasurer, do pay the present Lord Provost the said sum of Three hundred Pounds Sterling, as the Salary of his Office for this present year. And, in order effectually to prevent the payment of any money, in time coming, to those who bear the Office of Lord Provost, by the Dean of Guild, by the City-Treasurer, by persons who come into lucrative offices, or by those who get feus, or tacks of the Good Town's revenue, or on any account or pretext whatsoever,

(the foressaid fee excepted) be it ENACTED, likeas the Council, with the Extraordinary Deacons of Crafts, hereby ENACTS, STATUTES and ORDAINS, That annually, on the Council-day in which warrants are given for leeting the Deacons, the Town-Treasurer shall move the Council for, and obtain an act, as his warrant for paying the said sum of Three hundred Pounds Sterling; at which time, and before granting of the said act, the following Oath shall be administered by the Town-Clerk, solemnly and openly in Council, to the then Lord Provost, and signed by him.

I *do solemnly swear and promise, That I have not, at any time since my last election into the Office of Lord Provost, received, directly or indirectly, any earnest-money, acknowledgment, or gratuity whatsoever, from any person or persons, in order to their election, or on account of their being elected into any lucrative office, or on account of tacks, or feus of houses, lands, mills, or any other part or branch of the Good Town's Common Good, granted, or to be granted them; neither has any person received the same for my account and behoof, directly or indirectly, to the best of my knowledge or belief. And I do sincerely promise and swear, That I shall not, for the future, receive any money, or other gratuity, on the foressaid account, directly or indirectly, nor allow any person to receive it for my behoof: And do likewise promise, That, if at any time hereafter I shall come to the knowledge of it, that any person or persons have received money, or other gratuity, for my behoof, as said is, that I shall immediately acquaint the Council therewith, and pay the money so received to the City-Treasurer then being. This I solemnly swear, and*

promise by God, and as I shall answer to him at the great day.

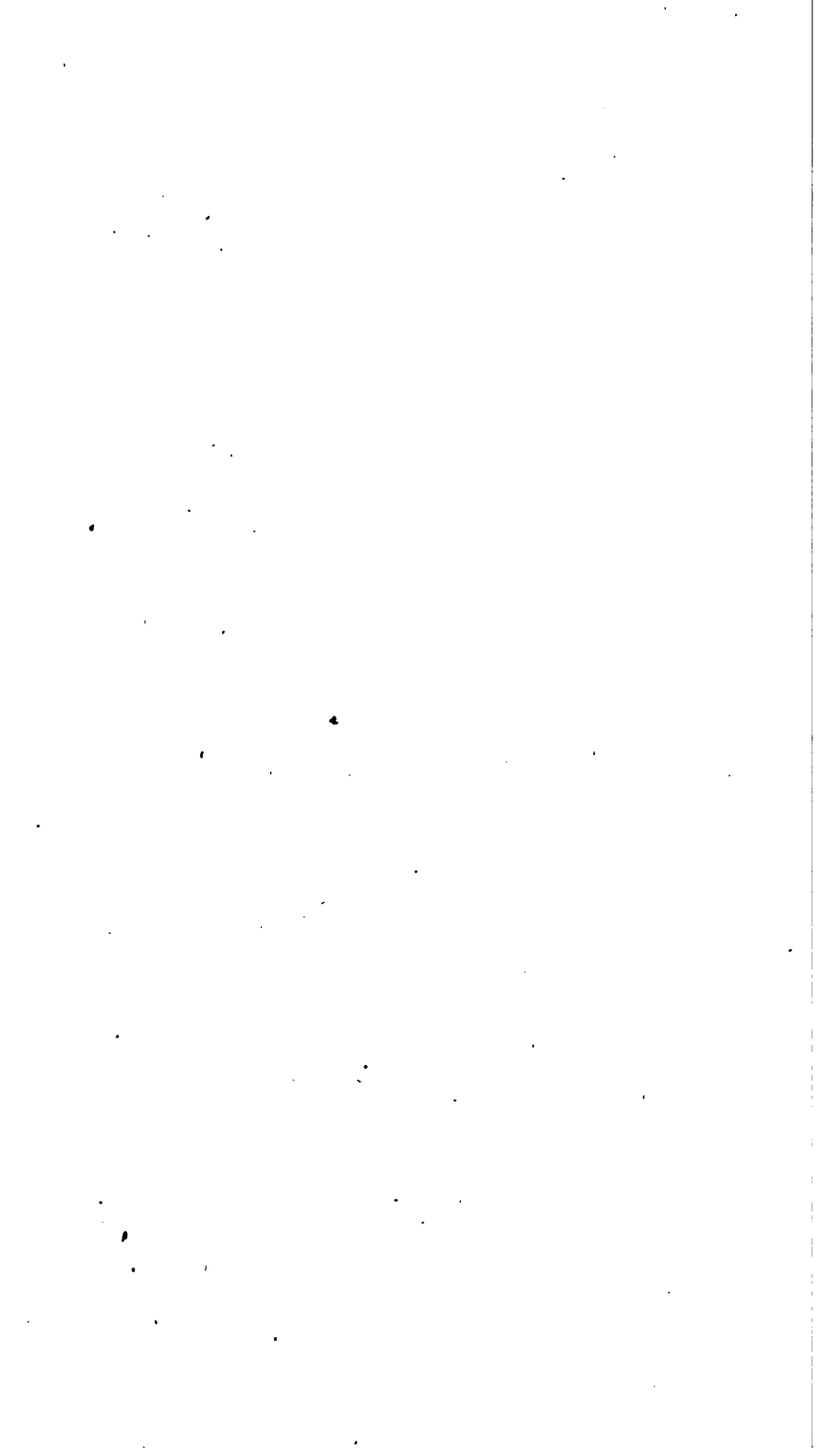
Be it also ENACTED, likeas it is hereby ENACTED, STATUTED and ORDAINED, That, in case at any time it should appear, and be made evident, That any person, who shall bear the Office of Lord Provost, has, contrary to the meaning of this Act, received money, or other gratuity, by himself or others, on any of the foresaid accounts, he shall, *ipso facto*, forfeit the said sum of Three hundred Pounds Sterling, which has been paid him by the City-Treasurer, by and attour repayment of the money, or other gratuity so received, and be liable to be sued therefor at law, at the instance of the Treasurers to the Merchants and Trades Maiden-Hospitals, or either of them, or at the instance of any person or persons who has been a member or members of the Town-Council of this City, for the use and behoof of the said Hospitals, in equal proportions : And for the more security, it is hereby STATUTE and ORDAINED, That every person who is admitted into any lucrative office, or who obtains feus or tacks from the Town-Council, or persons to whom tacks or feus of houses, lands, mills, or any other part or branch of the Town's Common Good, or of the Hospitals Lands, under the Town's administration, have been, or are to be set, or who are soliciting for offices, or elected into them by the Town-Council, shall, at his or their admission into the said office, or at the obtaining the said feus or tacks from the Town-Council, make oath, That neither he or they, nor any person on his or their behalf, have given any good deed, or promise thereof, to the Lord Provost, or any member of the Council, or to any other person or persons

for their behoof, in order to obtain the same ; neither shall give any gratuity, acknowledgment, or good deed, in order to obtain his or their offices, feus or tacks, in time coming ; and if he shall hereafter learn, that any other person has given any gratuity, acknowledgment, or good deed whatsoever, in his behalf, he shall faithfully and immediately reveal it to the Council. And, lastly, It is STATUTE and ORDAINED, That this Act shall be annually read in Council, after the Election, upon the same Council-day in which the Election is made ; and that a copy of it shall be written with a fair hand, upon a large sheet of parchment, to be signed by every Lord Provost at his admission into his office.

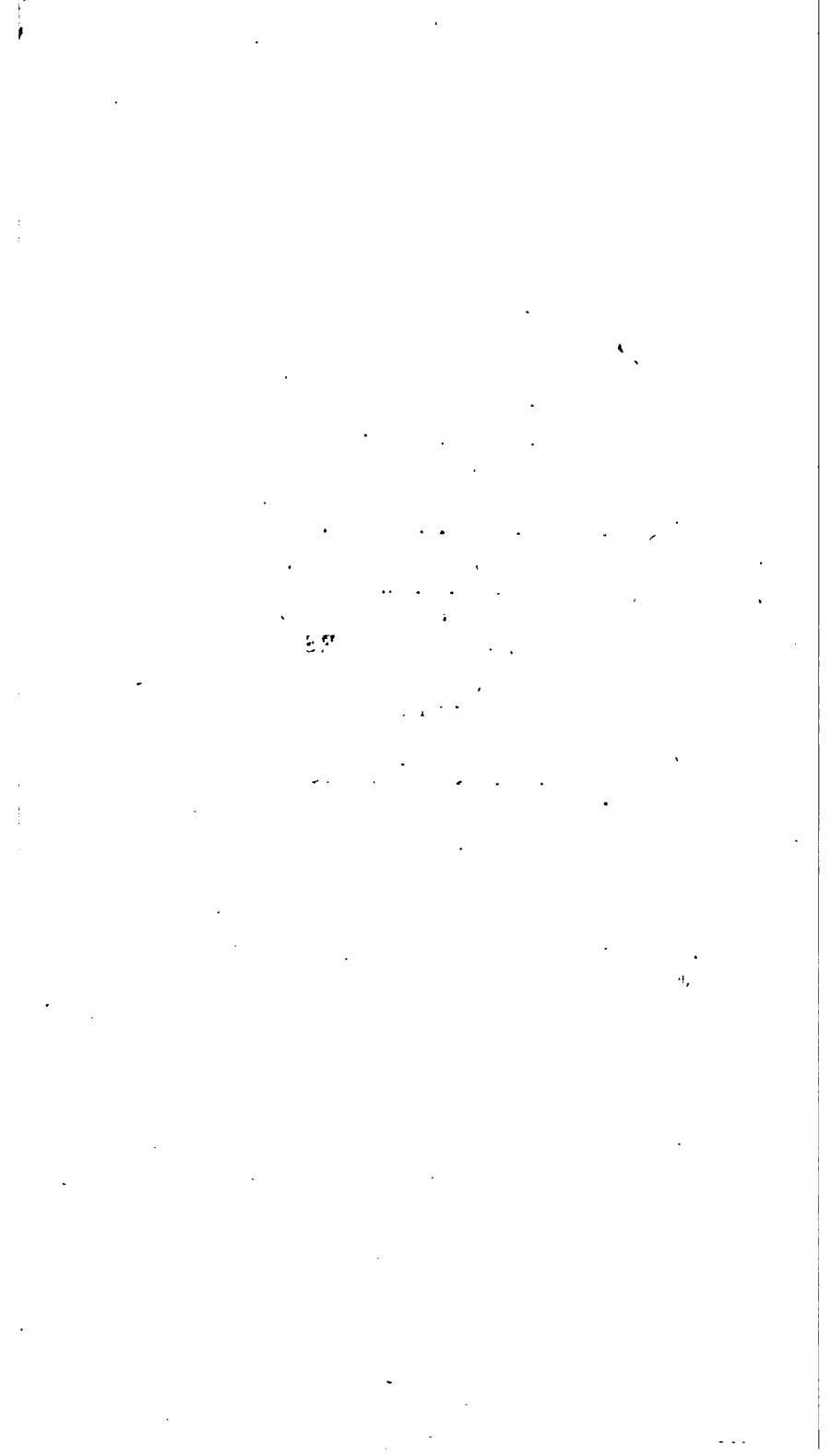
ACT of Council settling a salary of 500*l.* Sterling *per annum* on the Right Honourable the Lord Provost of the City of Edinburgh.

At Edinburgh the ninth day of January, One thousand seven hundred and seventy-one years.

WHICH day the Right Honourable the Lord Provost, the Magistrates and Council, with the Deacons of Crafts, Ordinary and Extraordinary, of the City of Edinburgh, being assembled, the report of the Committee, respecting the settling of Five hundred Pounds Sterling of Salary annually, to be paid to the Lord Provost for supporting the dignity of the Chair, as ingrossed in last sederunt, being this day again read in Council, the tenor whereof follows :—“ Baillie Carmichael, as Preses of the Committee to whom it was



A C T S
OF
PARLIAMENT,
RELATIVE TO THE
ELECTION OF MEMBERS
TO SERVE IN THE
HOUSE OF COMMONS.



ANNO SEXTO

ANNÆ REGINÆ.

An ACT for rendering the Union of the Two Kingdoms more entire and complete.

WHEREAS by her Majesty's great wisdom and goodness, the Union of the two Kingdoms hath been happily effected, and the whole island is thereby subject to one Sovereignty, and represented by one Parliament: To the end, therefore, that the said Union may be rendered more complete and entire, be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, That from and after the first day of May, in the year of our Lord, One thousand seven hundred and eight, the Queen's Majesty, her heirs and successors, shall have but one Privy-Council in or for the kingdom of Great Britain, to be sworn to her Majesty, her heirs and successors, as Sovereigns of Great Britain; and such Privy-Council shall have the same powers and authorities as the Privy-Council of England lawfully had used, and exercised at the time of the Union, and none other.

And to the end the public peace may be in like manner preserved throughout the whole kingdom, be it

election of the Fifteen Representatives of the Royal Boroughs, the Sheriff of the Shire of Edinburgh shall, on the receipt of the writ directed to him, forthwith direct his precept to the Lord Provost of Edinburgh, to cause a Burgess to be elected for that City; and, on receipt of such precept, the City of Edinburgh shall elect their Member, and their common clerk shall certify his name to the Sheriff of Edinburgh, who shall annex it to his writ, and return it with the same into the court from whence the writ issued: And as to the other Royal Boroughs, divided into fourteen classes or districts, the Sheriffs or Stewarts of the several Shires and Stewartries, shall, on the receipt of their several writs, forthwith direct their several precepts to every Royal Borough within their respective Shires or Stewartries, reciting therein the contents of the writ, and the date thereof, and commanding them forthwith to elect each of them a Commissioner as they used formerly to elect Commissioners to the Parliament of Scotland, and to order the said respective Commissioners to meet at the presiding Borough of their respective district (naming the said presiding Borough) upon the thirtieth day after the day of the test of the writ, unless it be upon the Lord's Day, commonly called Sunday, and then the next day after, and then to choose their Burgess for the Parliament; and the common clerk of the then presiding Borough shall, immediately after the election, return the name of the person so elected to the Sheriff or Stewart of the Shire or Stewartry wherein such presiding Borough is, who shall annex it to his writ, and return it with the same into the court from whence the writ issued: And in case a vacancy shall happen in time of Parliament, by the decease or legal incapacity of any mem-

ber, a new member shall be elected in his room, conformable to the method herein before appointed ; and in case such vacancy be of a representative for any one of the said fourteen classes, or districts of the said Royal Boroughs, that Borough which presided at the election of the deceased or disabled member, shall be the presiding Borough at such new election.

Provided always, That upon the issuing of writs of summons for the electing of a Parliament, if any Shire or Stewartry wherein a Royal Borough is, hath not then a turn, or right to elect a Commissioner, or Knight of the Shire or Stewartry for that Parliament, that then it shall be omitted out of the writ directed to such Sheriff or Stewart, to cause a Knight, or Commissioner for that Shire or Stewartry to be elected for that Parliament.

ANNO SECUNDO

GEORGII II. REGIS.

An Act for the more effectual preventing Bribery and Corruption in the Elections of Members to serve in Parliament.

Preamble. **W**HEREAS it is found by experience, that the laws already in being have not been sufficient to prevent corrupt and illegal practices in the election of Members to serve in Parliament; for remedy, therefore, of so great an evil, and to the end that all elections of Members to Parliament may hereafter be freely and indifferently made, without charge or expence, be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That from and after the 24th Day of June, in the year of our Lord 1729, upon every Election of any Member or Members to serve for the Commons in Parliament, every Freeholder, Citizen, Freeman, Burgess, or person having, or claiming to have a right to vote, or be polled at such Election, shall, before he is admitted to poll at the same Election, take the following Oath, (or, being one of the people called Quakers, shall make the solemn Affirmation appointed for Quakers), in case the same shall be demanded by either of the Candidates, or any two of the Electors; that is to say,

Electors of
Parliament-
men to take
the following
oath, if de-
manded.

I A. B. *do swear*, (or, being one of the people called Quakers, *I A. B. do solemnly affirm*) *I have not received, or had by myself, or any person whatsoever in trust for me, or for my use and benefit, directly or indirectly, any sum, or sums of money, office, place or employment, gift, or reward, or any promise or security for any money, office, employment, or gift, in order to give my vote at this Election, and that I have not before been polled at this Election.*

Which Oath or Affirmation the officer Presiding or officers presiding, or taking the poll at such Election, is and are hereby im- officer to administer it, on forfeiture powered and required to administer *gratis*, of L. 50: if demanded, as aforesaid, upon pain to forfeit the sum of Fifty Pounds, of lawful money of Great Britain, to any person that shall sue for the same, to be recovered, together with full costs of suit, by action of debt, bill, plaint, or information, in any of his Majesty's Courts of Record at Westminster, wherein no essoine, protection, wager of law, or more than one imparlance, shall be admitted or allowed; and if the said offence shall be committed in that part of Great Britain called Scotland, then to be recovered, together with full costs of suit, by summary action, or complaint before the Court of Session, or by prosecution before the Court of Justiciary there, for every neglect or refusal so to do: And no person shall be admitted to poll, till he has taken and repeated the said Oath, in a public manner, in case the same shall be demanded, as aforesaid, before the returning officer, or such others as shall be legally deputed by him.

Sheriff, or other returning officers, admitting any to be polled, before sworn, to forfeit L. 100.

And be it further enacted, That if any Sheriff, Mayor, Bailiff, or other returning officer, shall admit any person to be polled, without taking such Oath or Affirmation, if demanded, as aforesaid, such returning officer shall forfeit the sum of One Hundred Pounds, to be recovered in manner aforesaid, together with full costs of suit; and that if any person shall vote or poll at such Election, without having first taken the Oath, or, if a Quaker, having made his Affirmation, as aforesaid, if demanded, such person shall incur the same penalty which the officer is subject to for the offence above mentioned.

Voters to incur the like penalty.

Returning officer, after reading the writ, to take the following oath.

And be it further enacted by the authority aforesaid, That every Sheriff, Mayor, Bailiff, Headborough, or other person, being the returning officer of any Member to serve in Parliament, shall, immediately after the reading the writ or precept for the election of such Member, take and subscribe the following Oath, *videlicet*,

I A. B. do solemnly swear, That I have not, directly nor indirectly, received any sum or sums of money, office, place or employment, gratuity, or reward, or any bond, bill, or note, or any promise or gratuity whatsoever, either by myself, or any other person to my use, or benefit, or advantage, for making any return at the present Election of Members to serve in Parliament; and that I will return such person or persons, as shall, to the best of my judgment, appear to me to have the majority of legal votes.

Which Oath, any Justice or Justices of the Peace of the said County, City, Corporation or Borough, where such Election shall be made, or, in his or their absence, any three of the electors, are hereby required and authorised to administer ; and such Oath, so taken, shall be entered among the records of the sessions of such County, City, Corporation, and Borough, as aforesaid.

And be it enacted by the authority What votes aforesaid, That such votes shall be deemed shall be deemed to be legal, which have been so declared ed legal. by the last determination in the House of Commons ; which last determination concerning any County, Shire, City, Borough, Cinqueport, or place, shall be final to all intents and purposes whatsoever, any usage to the contrary notwithstanding.

And be it further enacted by the authority Penalty of aforesaid, That if any returning wilful perjury. officer, elector, or person taking the Oath ry. or Affirmation herein before mentioned, shall be guilty of wilful and corrupt perjury, or of false affirming, and be thereof convicted by due course of law, he shall incur and suffer the pains and penalties which by law are enacted or inflicted in cases of wilful and corrupt perjury.

And be it further enacted by the authority Persons convicted never aforesaid, That no person capable to convicted of wilful and corrupt perjury, or vote. subornation of perjury, shall, after such conviction, be capable of voting in any Election of any Member or Members to serve in Parliament.

Persons taking money or reward for their vote, &c. forfeit L. 500, and disabled to vote in any Election.

And be it further enacted by the authority aforesaid, That if any person who hath, or claimeth to have, or hereafter shall have, or claim to have, any right to vote in any such Election, shall, from and after the said 24th day of June, which shall be in the year of our Lord 1729, ask, receive, or take any money, or other reward, by way of gift, loan, or other device ; or agree or contract for any money, gift, office, employment, or other reward whatsoever, to give his vote, or to refuse or forbear to give his vote, in any such Election ; or if any person by himself, or any person employed by him, doth or shall, by any gift or reward, or by any promise, agreement, or security for any gift or reward, corrupt or procure any person or persons to give his or their vote or votes, or to forbear to give his or their vote or votes, in any such Election, such person, so offending in any of the cases aforesaid, shall, for every such offence, forfeit the sum of Five Hundred Pounds of lawful money of Great Britain, to be recovered as before directed, together with full costs of suit : And every person offending in any of the cases aforesaid, from and after judgment obtained against him in any such action of debt, bill, plaint, or information, or summary action, or prosecution, or being any otherwise lawfully convicted thereof, shall for ever be disabled to vote in any Election of any Member or Members to Parliament, and also shall for ever be disabled to hold, exercise, or enjoy any office or franchise, to which he and they then shall, or at any time afterwards may be entitled, as a member of any City, Borough, Town Corporate, or Cinque-port, as if such person was naturally dead.

And be it further enacted by the authority aforesaid, That if any person offending against this act shall, within the space of 12 months next after such Election as aforesaid, discover any other person or persons offending against this act, so that such person or persons, so discovered, be thereupon convicted, such person so discovering, and not having been before that time convicted of any offence against this act, shall be indemnified, and discharged from all penalties and disabilities which he shall then have incurred by any offence against this act.

And, for the more effectual observance of this act, be it enacted, That all and every the Sheriffs, Mayors, Bailiffs, and other officers, to whom the execution of any writ or precept for electing any Member or Members to serve in Parliament shall belong or appertain, shall, and are hereby required, at the time of such Election, immediately after the reading such writ or precept, read, or cause to be read, openly before the Electors there assembled, this present act, and every clause therein contained; and the same shall also openly be read once in every year at the general Quarter Sessions of the Peace to be holden next after Easter, for any County or City, and at every Election of the chief Magistrate in any Borough, Town-corporate, or Cinque-port, and at the annual Election of Magistrates and Town Counsellors, for every Borough within that part of Great Britain called Scotland.

Offenders
in 12 months
after the E-
lection disco-
vering others,
indemnified.

The Act to
be read by the
Sheriff, &c.
after reading
the writ.

And at the
Quarter Ses-
sions after
Easter.

Wilful of-
fence forfeits
L. 50.

And be it further enacted, by the authority aforesaid, That every Sheriff, Under-sheriff, Mayor, Bailiff, and other officer, to whom the execution of any writ or precept for the electing of Members to serve in Parliament doth belong, for every wilful offence, contrary to this act, shall forfeit the sum of Fifty Pounds, to be recovered, together with full costs of suit, in the manner before directed.

Prosecution
to commence
within two
years.

Provided always, and it is hereby declared by the authority aforesaid, That no person shall be made liable to any incapacity, disability, forfeiture, or penalty, by this act laid or imposed, unless prosecution be commenced within two years after such incapacity, disability, forfeiture, or penalty shall be incurred, or in case of a prosecution, the same be carried on without wilful delay ; any thing herein contained to the contrary notwithstanding.

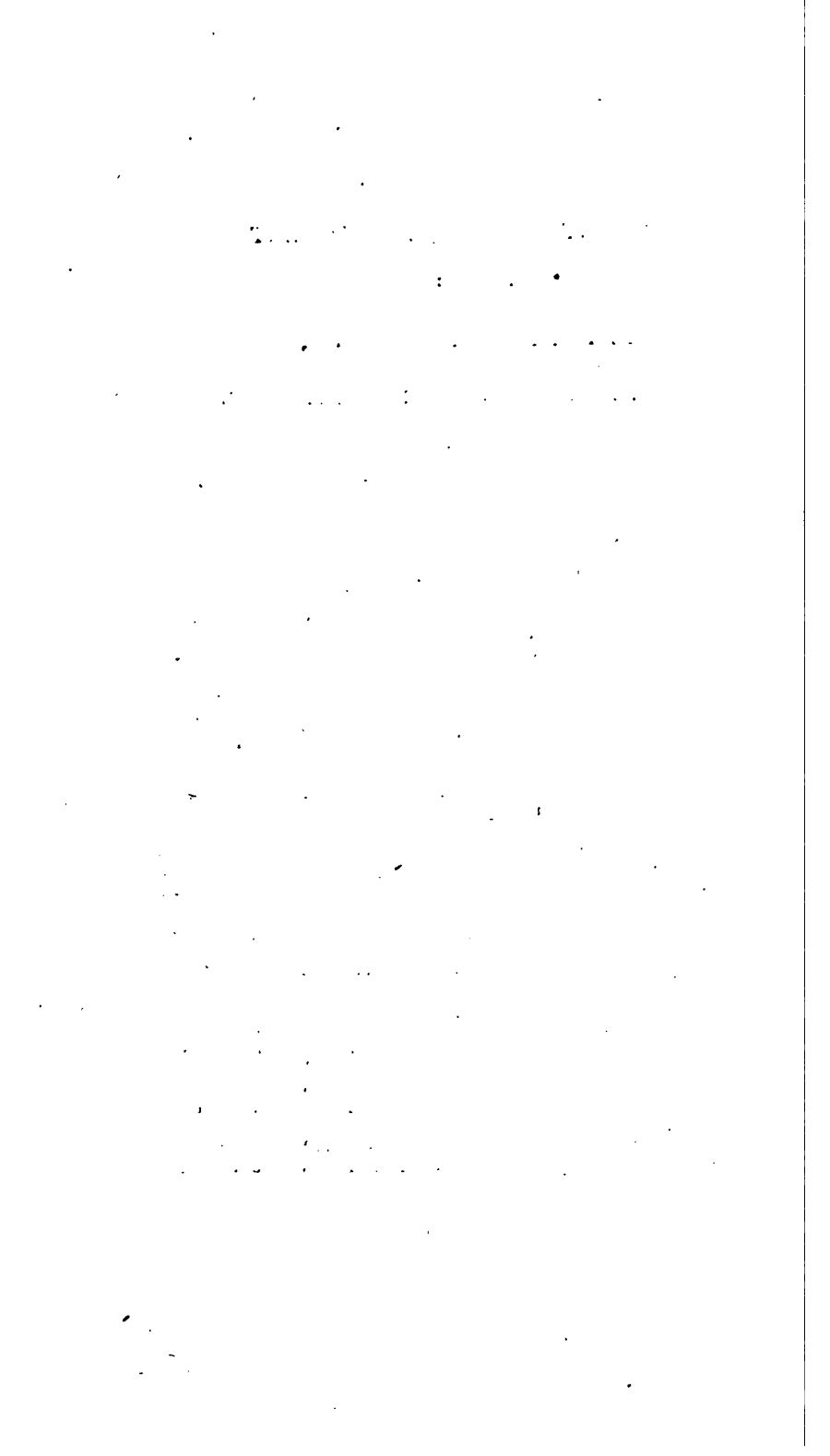
REPRESENTATIVES IN PARLIAMENT

FOR THE

CITY OF EDINBURGH,

FROM THE UNION TO THE PRESENT TIME.

<i>Year elected.</i>		<i>Year elected.</i>	
1708.	Right Honourable Sir Samuel McClellan, Lord Provost	1784.	James Hunter Blair, Esq. of Dunaky, (afterwards Lord Provost)
1709.	Right Honourable Sir Patrick Johnston, Lord Provost	1784.	Sir Adam Fergusson, of Kil- kerran, Bart.
1710.	Sir Patrick Johnston	1790.	Right Hon. Henry Dundas
1713.	Sir James Steuart of Goodtrees, Advocate	1791.	Right Hon. Henry Dundas
1715.	Right Honourable Geo. War- render, Lord Provost	1793.	Right Hon. Henry Dundas
1721.	Right Honourable John Camp- bell, Lord Provost	1796.	Right Hon. Henry Dundas
1722.	Right Honourable John Camp- bell, Lord Provost	1800.	Right Hon. Henry Dundas
1727.	John Campbell, Esq. late Lord Provost	1802.	Right Hon. Henry Dundas, (created Viscount Melville)
1734.	Right Honourable Patrick Lindsay, Lord Provost	1803.	Right Honourable Charles Hope, Lord Advocate, (now Lord President)
1741.	Archibald Stewart, Esq. (after- wards Lord Provost)	1805.	Honourable George Abercrom- by (now Lord Abercromby)
1747.	James Ker of Boughtridge, Convener of the Trades	1806.	Sir Patrick Murray of Och- tertyre, Bart.
1754.	William Alexander, Esq. late Lord Provost	1807.	Sir Patrick Murray of Och- tertyre, Bart. (now Baron of Exchequer)
1761.	Right Honourable George Lind, Lord Provost	1812.	Right Hon. William Dundas
1762.	James Coutts, Esq.	1812.	Right Hon. William Dundas
1768.	Sir Laurence Dundas, Bart.	1814.	Right Hon. William Dundas
1774.	Sir Laurence Dundas, Bart.	1818.	Right Hon. William Dundas
1780.	Sir Laurence Dundas, Bart.	1819.	Right Hon. William Dundas, (now Lord Register)
1781.	J. Hunter Blair, Esq. of Dunaky	1820.	Right Hon. William Dundas
		1826.	Right Hon. William Dundas



LIS

Year.

1681.

to

1695.

1696.

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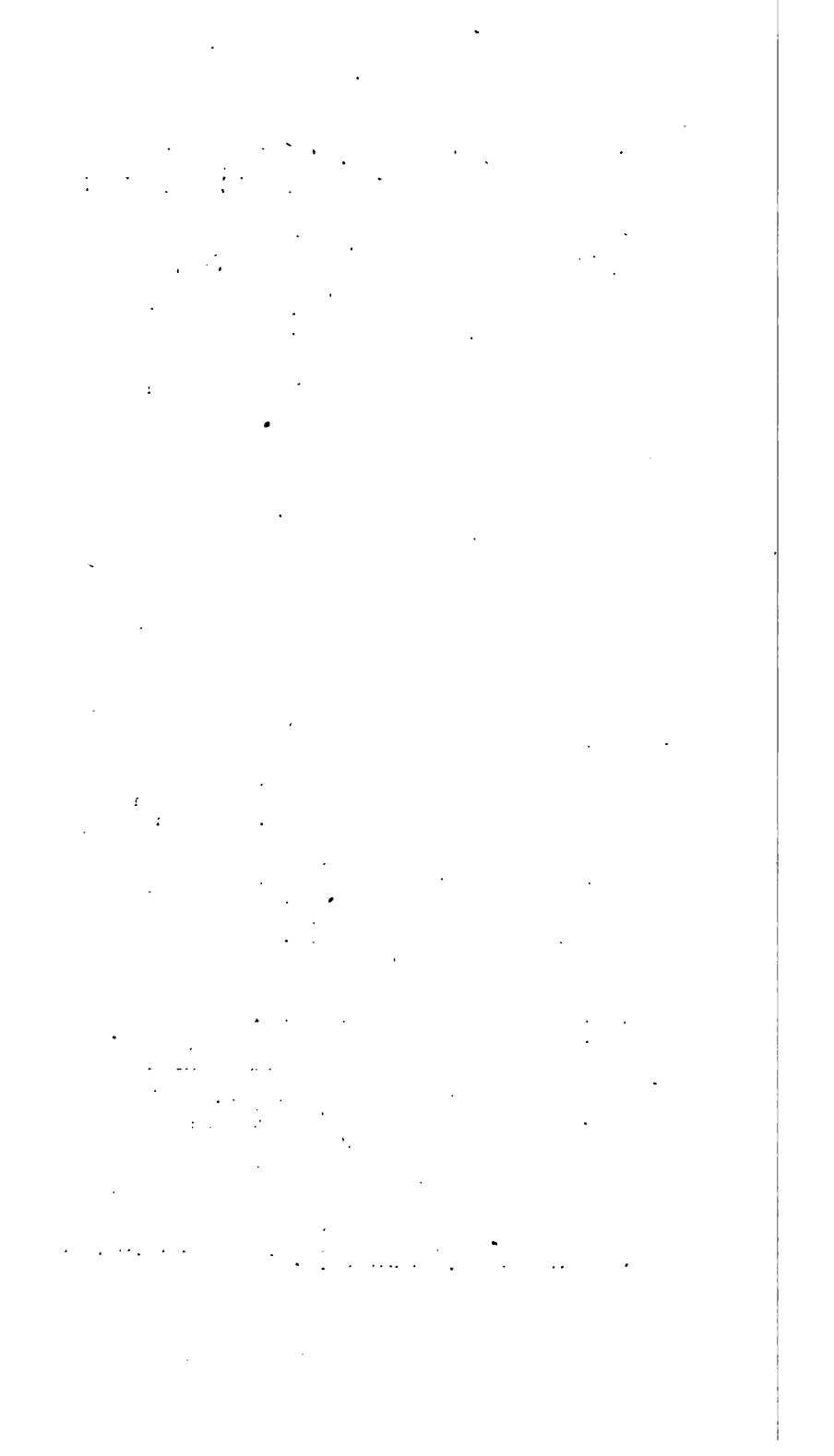
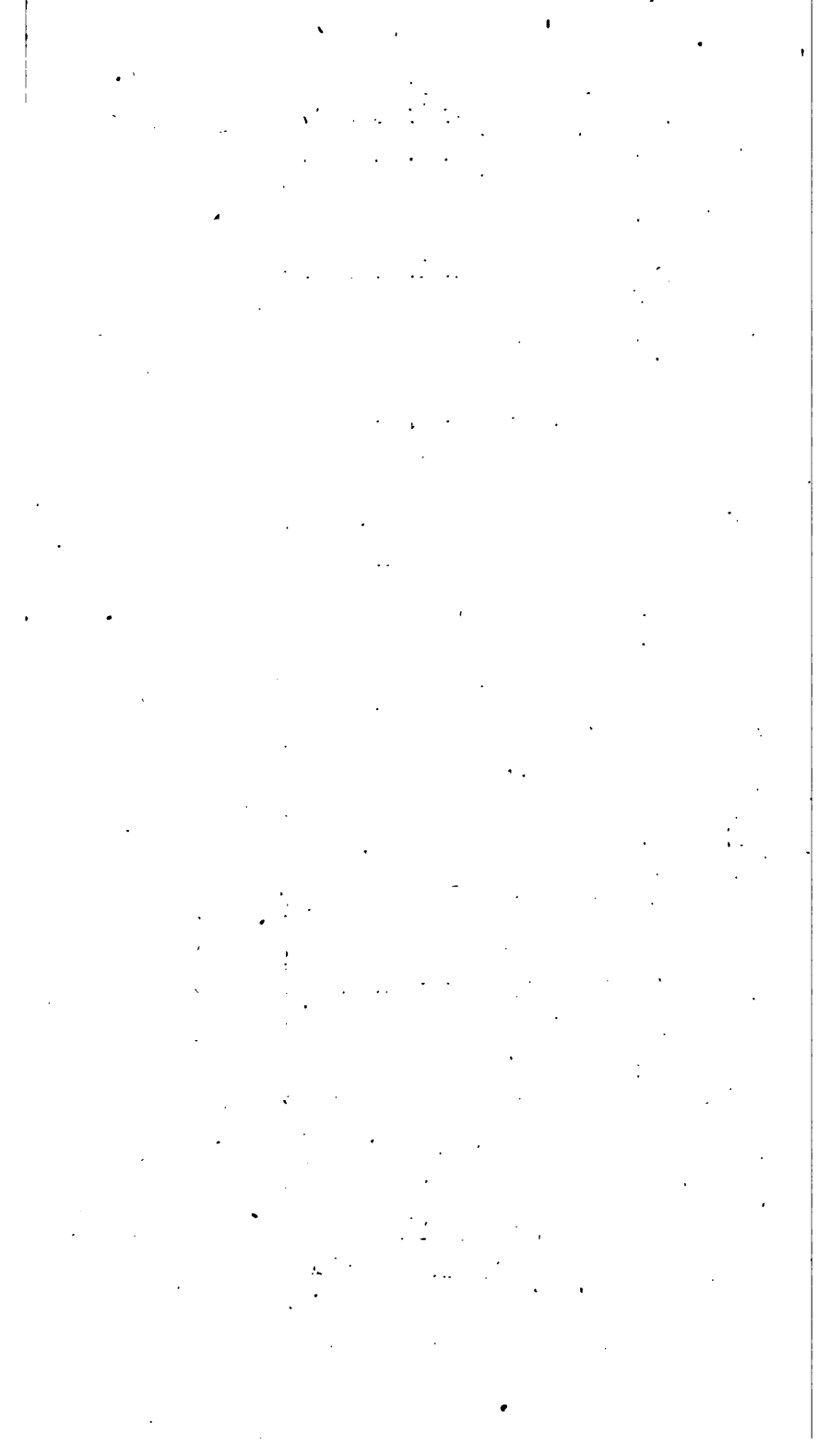


TABLE of the Steps of Procedure in the ELECTION of the DEACONS of CRAFTS, COUNCILLORS,
and MAGISTRATES of Edinburgh.

	Deacons war- ned to meet, Wednesday,	Deacons meet, Friday,	Deacons pre- sented and Council-Deacons elected, Wednesday,	No business, Friday,	Merchant and Trades Council- lors elected, Wednesday,	Magistrates elected, Friday,	Election of Magistrates, Tuesday,
If MICHAELMAS falls on Sunday, Monday, Tuesday, Wednesday, Thursday, Friday, Saturday,	Sept. 11.	Sept. 13.	Sept. 18.	Sept. 20.	Sept. 25.	Sept. 27.	Octob. 1.
	10.	12.	17.	19.	24.	26.	Sept. 30.
	9.	11.	16.	18.	23.	25.	Octob. 6.
	8.	10.	15.	17.	22.	24.	Octob. 5.
	14.	16.	21.	23.	28.	30.	Octob. 4.
	13.	15.	20.	22.	27.	29.	Octob. 3.
	12.	14.	19.	21.	26.	28.	Octob. 2.



AN
Historical Account
OF THE
Blue Blanket:
OR
Crafts-Men's Banner.
CONTAINING THE
Fundamental Principles
OF THE
GOOD-TOWN,
WITH THE
Powers and Prerogatives of the CRAFTS
of Edinburgh, &c.

By ALEXANDER PENNECUIK, Burgess and
Guild-Brother of Edinburgh.

PSAL. lx. 4. *Thou hast given a Banner unto them that
fear thee, that it may be displayed because of the Truth.*

GEN. iv. 22. *Tubal Cain was an Instructor of every
Artificer in Brass and Iron.*

EDINBURGH:

Printed by JOHN MOSSMAN and Company, and sold
by him and the Author. M. DCC. XXII.

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ED

PREFACE

BY THE EDITOR.

OF ALEXANDER PENNYCUIK, the ingenious author of the following work, but little is known. His title-page informs us he was a burgess and guild-brother of Edinburgh. In 1720, he published a small collection of Poems, entitled "Streams from Helicon." When he began his historical account of the Blue Blanket, how long he was engaged upon it, or by what means he obtained access to the various charters and papers therein quoted, does not appear. It has been asserted, upon what authority I am ignorant, that his manuscript, when finished April 7. 1722, was given into the hands of the Deacon-Convener, for the purpose of being inspected by such members of the fourteen Incorporations, as from their knowledge might be enabled to judge of its veracity; who, being fully satisfied with its merits, delegated two of their number to give a public testimony of their approbation; but, from the letter prefixed to the work, it would rather appear that he gave it to two of his acquaintance, who, not deeming themselves qualified to judge of its merits,

consulted the opinion of others better acquainted with the subject. Be this as it may, his book has always been popular amongst the Trades, and ever since quoted as a work of authority. It no doubt contains much which might have been omitted by a judicious writer of the present day, nevertheless it cannot be denied that it also contains much valuable information. Our author also published, in 1726, a second collection of poems, entitled "Flowers from Parnassus," and a short time previous to his death, commenced a periodical work under the title of "Entertainment for the Curious." In his poetical pieces he appears to have been an assiduous imitator of Allan Ramsay, in some instances, with tolerable success. In his life, however, he seems to have been dissipated and irregular; and, if we may credit the following lines from Claudero's (Wilson's) *Miscellanies*, in his "Farewell to the Muses and Auld Reikie,"

"To shew the fate of Pennycook,
Who starving died in turnpike nook;
Though sweet he sang with wit and sense,
He like poor Claud was short of pence," &c.

eventually died, if not of absolute starvation, at least in extreme want and misery.

The historical account of the Blue Blanket, now published, is printed *verbatim* from the original edition, the only liberty taken being an addition in the form of notes, containing short chronological notices, relative to the institution of the Fourteen Incorporations.

Edinburgh,
1st September 1826.

To the Worshipful

The Deacons of Crafts,

And remanent Members of the

Fo urteen Incorporations in the Good
Town of Edinburgh.

I PRESENT you with an abridgment of the glorious Actions of your Predecessors; who, by a dutiful Attachment to their Sovereigns, suffering by impious Rebels, shew'd their Hearts flam'd with Loyalty; their Hands were Thunder, and their Deeds Miracles. You enjoy the Honours and Privileges which they procur'd from the Monarchs of SCOTLAND, as Rewards for their Heroic Atchievements. You are, what the greatest Princes and Warriors in Europe, triumphant in the Field of Battle, and press'd down to the Grave with Laurels, have aspired to, Knights of the HOLY GHOST; your Banner being call'd in Original Writs, The Banner of the Holy Ghost. Study then to imitate your worthy Ancestors in their illustrious Virtues, and inviolably maintain the Privileges of your MAGNA CHARTA: 'Tis a Sacred Depositum, which you are bound in Conscience, as well as thro' Interest, to defend. If your Enemies should dare to invade

your Prerogatives, granted by Kings, the Fountains of Law and Honour, let the Nation's Motto be yours,

Nemo me impune lacesset.

Remember King David's Saying, which is very snug to the Purpose, Psal. lx. 4. "He hath given a Banner unto them that fear him; that it may be display'd because of the Truth. *Selah.*"

I have, with unwearied Pains, collected the materials of the ensuing History, from original authentick Manuscripts, and Historians of unquestioned Veracity: And I humbly Dedicate it to you, the Crafts of EDINBURGH; wishing Prosperity to You and the Good Town, whose Pillars and chief Corner-Stones you have always proved. May the Psalmist's Prayer for Zion be granted unto her, "Peace be within her Walls, and Prosperity within her Palaces: May they prosper that love her, and seek her Peace continually." May the inimitable Poet's Lines become a fulfilled Prophecy, to be apply'd to our Sovereign City.

Now, like a Maiden Queen, she will behold
From her high Turrets hourly Suiters come:
The East with Incense, and the West with Gold,
Will stand like Suppliants to receive her Doom.
The Silver Forth, her own domestick Flood,
Shall bear her Vessels, like a sweeping Train,
And often wish, as of her Mistress proud,
With longing Eyes to meet her Face again.
The vent'rous Merchant who design'd more far,
And touches on our Hospitable Shore,
Charm'd with the Splendour of this Northern Star,
Shall here unload him, and depart no more.

DAVID. ANN. MIRR.

That this may happen, and your Incorporations may flourish with Blessings of the Upper and the Nether Springs, is the ardent prayer of,

Worthy Fellow-Citizens,

Your devoted humble Servant,

ALEXANDER PENNECUIK.

EDINBURGH,
1st August 1722.

Copy of an Epistle, from Two CRAFTS-
MEN in Edinburgh, to the Author.

SIR,

“ SINCE you have put an high Respect
“ upon us, to communicate in Manuscript your His-
“ torical Account of the Blue Blanket, and to ask our
“ Advice about its Publication ; having carefully and
“ with Pleasure perused it, we return you our sincere
“ Thanks, for your elaborate Enquiry into the con-
“ ceal'd Honours of the Trades : But being diffident
“ of our Sufficiency to judge of an Historian, we laid
“ it before the ablest of our Brethren, who earnestly
“ sollicit you may send it abroad. You have trod
“ in unbeaten Paths, the Subject having been overlookt
“ by all Scottish Historians. As we question not
“ you'll oblige the World by publishing the Honours
“ of the BLANKET, so assure your self of a Tribute of
“ Praise from all Craftsmen, especially from,

SIR,

Your humble Servants,

G. H.

W. D.

Edinburgh,
1st September 1722.

A

General Preface,

TOUCHING CRAFTS-MEN, AND THE HONORARY OFFICES
THEY HAVE ENJOY'D IN CHURCH AND STATE.

WHEN the Omnipotent Architect had built the glorious Fabrick of this World ; upon a Review of his Works, he pronounced they were all very good, and rested from his Labours. The Almighty could have spoke the World into Being in a Moment ; but out of the Depths of Infinite Wisdom, spent six Days in its Creation, that man might learn still to be usefully employ'd, copying after the example of his Lord and Lawgiver. Tho' His Deputy Adam was the first and the greatest of Monarchs, whose Dominions extended from Pole to Pole, in a state of Innocence, before Sin had blasted the Beauty of Eden, and Nature spontaneously yielded her Fruits ; yet was he not to eat the Bread of Idleness, having his daily Task assign'd him, as is inimitably express'd by the matchless Milton, in his beautiful Description of Adam awaking his charming Eve.

Awake, the Morning Shines, and the fresh Field
Calls us ; we lose the Prime, to mark how spring
Our tender Plants, how blows the Citron Groves :
What drops the Myrrh, and what the Balmy Reed,
How Nature paints her Colours, how the Bee
Sits on the Bloom, extracting liquid Sweets.

His eldest Son, by Right of Primogeniture, Fiar of a fair Inheritance, was educate a Plow-man, and his Brother a Grassier. The fall of Man introduced those liberal Sciences, Divinity, Law and Physick: But tho' we had continued pure, as when we dropt from the creating Fingers of our Maker, Mechanick Arts had been necessary. In the Infancy of the World, before the Wranglings of Lawyers, the Sophistry of Philosophers, and turbulent Factions of Divines, had debauched Mankind, Artists were in the highest Repute. Adah bare Jabal, the Father of all such as dwell in Tents, and his Brother's name was Jubal, the Father of all such as handle the Harp and the Organ, Gen. iv. Verse 20. and 22. Tubal Cain was an Instructor of every Artificer in Brass and Iron.

'Tis much to the Honour of Crafts-Men, that holy Joseph, Husband to the Blessed Virgin Mary, Mother of the Son of GOD, was a Carpenter, tho' it lessen'd our Lord's Esteem amongst the Populace, who tauntingly cri'd, (Mat. xiii. 35.) "Is not this the Carpenter's Son?" And if we credit the earliest Ecclesiastick Historians, the Glorious Redeemer of Mankind, before his publick Entrance upon the Ministerial Office, laboured with his hands in the Shop: Tho' he called St. Matthew from the Customs, to evidence the Extent and conquering power of his Grace; yet the most of his Apostles and Disciples, who spread the everlasting Gospel, and supplanted the Government of Satan, purchased Food with the Sweat of their Brows.

GOD seems to have put a distinguishing Honour upon Trades-men, that in all Ages, Men of the greatest Learning, and the Noblest Heroes, have sprung from their Loins; Porus, Monarch of the Indies, was the Son of a Barber, and wrought himself as a Tinker.

Braydillus, Prince of the Slavonians, Son of a Coalier. Artagorus, Governor of the Cyconians, Son of a Cook. Agathocles, King of Sicily, Son of a Potter. The good Arch-Bishop Villagesius, Son of a Carter; for which Reason he took Wheels for his Armorial-bearing. Cardinal Woolsey, Chancellor of England, was begot by a Butcher. One of the greatest States-Men of this Age, Cardinal Julius Alberoni, by a Gardener: And our famous Countryman Mr. Law, by a Goldsmith of Edinburgh.

As the Seed of Mechanicks have risen to the highest Dignities; so Mechanicks themselves have sway'd Scepters, proven the bravest Generals, the wisest States-Men, and the greatest Monarchs: Tho' the unthinking mass of Mankind may despise a person for low Birth; the first Circumstance of Life ought to have no Influence in our Judgment of a great Man; because we cannot pretend to be the Children of whom we please; and that a man may owe his birth to a Prince, whose natural Temper and Inclinations discover more Meanness of Birth, than if he were the Son of a Weaver: Whereas nothing is more glorious, than when, notwithstanding of the Defect of Education, a Man knows how to rectify and elevate the Inclinations, which an obscure Birth naturally inclines to be servile.

Quintus Cincinnatus, when called to the Government of Rome, was found hard at Plow; being saluted by the Name of Dictator, invested with Purple, honour'd with the Fasces, and other Ensigns of Magistracy, was desired to take Journey; after a little Pause, he answered with Tears in his Eyes, *Then for this year, my poor Farm must be unsown*: Taking Leave of his Family, perform'd his Office with that Prudence and

Justice, that he prov'd the Admiration of the World : And having finish'd his Dictatorship, return'd again to his Plow. Arsaces, from being a private Mechanick, was call'd to found the Parthian Empire : And such an one was Tamberlane, the Vanquisher of Asia. Peter de Brosse, Chirurgion, was high Chamberlain of France, and Secretary to King Philip III. Massianello, a Neapolitan Fisher-Man, raised an Army of 50,000, 7th July 1647, and trampled on the Government of Naples, till they were oblig'd to yield to the Demands of the People groaning under the Burden of exorbitant Taxes. The Ansbaptists in Munster, choos'd John of Leyden, a Taylor, for their King, A. D. 1535. Zeno, the famous Bishop of Constantia, was a Weaver, who liv'd till he was past an Hundred Years of Age ; and tho' he was the most eminent Bishop, and had the largest Diocese in that Country, kept a Weaver's Shop, and wrought himself daily at the Loom, to clothe the Naked. When the Peasants of Upper Austria rose up against P. Maximilian, Elector of Bavaria, A. D. 1627, their Army consisted of 60,000 ; it was commanded by Stephen Tudiner, a Hatter ; and after his Death, by Walmer, a Shoe-Maker, kill'd by Count Papenheim. And I cann't omit to hint at the beautiful Story of Mr. Edmond, a Baxter, and Son of a Baxter in Stirling, who shew'd such unparallell'd Valour in the Swedish Wars, under the Command of that Immortal Thunderbolt of War, Gustavus Adolphus, that he became a General. His swimming the Danube, and, by an artful Stratagem, carrying off the General of the Imperialists, and other marvellous Actions of his Life, are recorded in the Chronicles of Sweden. In his old Age, he returned to his native Country Scotland, and

built a stately Manse at Stirling, which he doted to the Church.

Historians, Ancient and Modern, not only record the Martial Achievements, but the singular Sanctity of Mechanics, not to mention the Faith of a Shoe-Maker, under the Reign of a King of Persia, who removed a Mountain by a holy Harangue, related by Paulus Venetus, de Rebus Orientalibus, and Nasiansen Causen in his holy Court, as savouring too much of a Monkish Fable, nor the known Story of Crispianus, who suffered by the Cruelty of Maximilian. The Church records a noble Army of Martyrs, who died for the Protestant Faith in the Reign of Henry VIII. and Mary, Sovereigns of England.

John Mace, Chirurgeon.		Stephen Knight, Barber.	
Richard Ferus, Goldsmith.		George Tankerfield, Cook.	
Mr. Gilles, Cutler.		Thomas Hudson, Glover.	
Robert Hatchets		Thomas Thomkins,	
Arthur,		William Bamford,	
Thomas Bond,	Shoemakers.	Nic. Chamberland,	Weavers.
John Hart,		John Cavell,	
John Curd,		John Spence,	
John Hoys,		Richard Nicolas,	
John Cocksbury,	Tanners.	John Careless,	
John Hammond,		John Leaf, Candlemaker.	
John Bennet,		Nicolas Hall,	Masons.
Andrew Heuet,	Tailors.	John Spicers,	
John Warner,		John Tudson,	Smiths.
Wm. Corberley,		John Went,	
George Eagles, Mi-		John Clement,	Joiners.
nister, and	Butchers.	Thomas Avington,	
William Picket,		Thomas Harland,	
Thomas Cob,		Thomas Ravendell, Currier.	

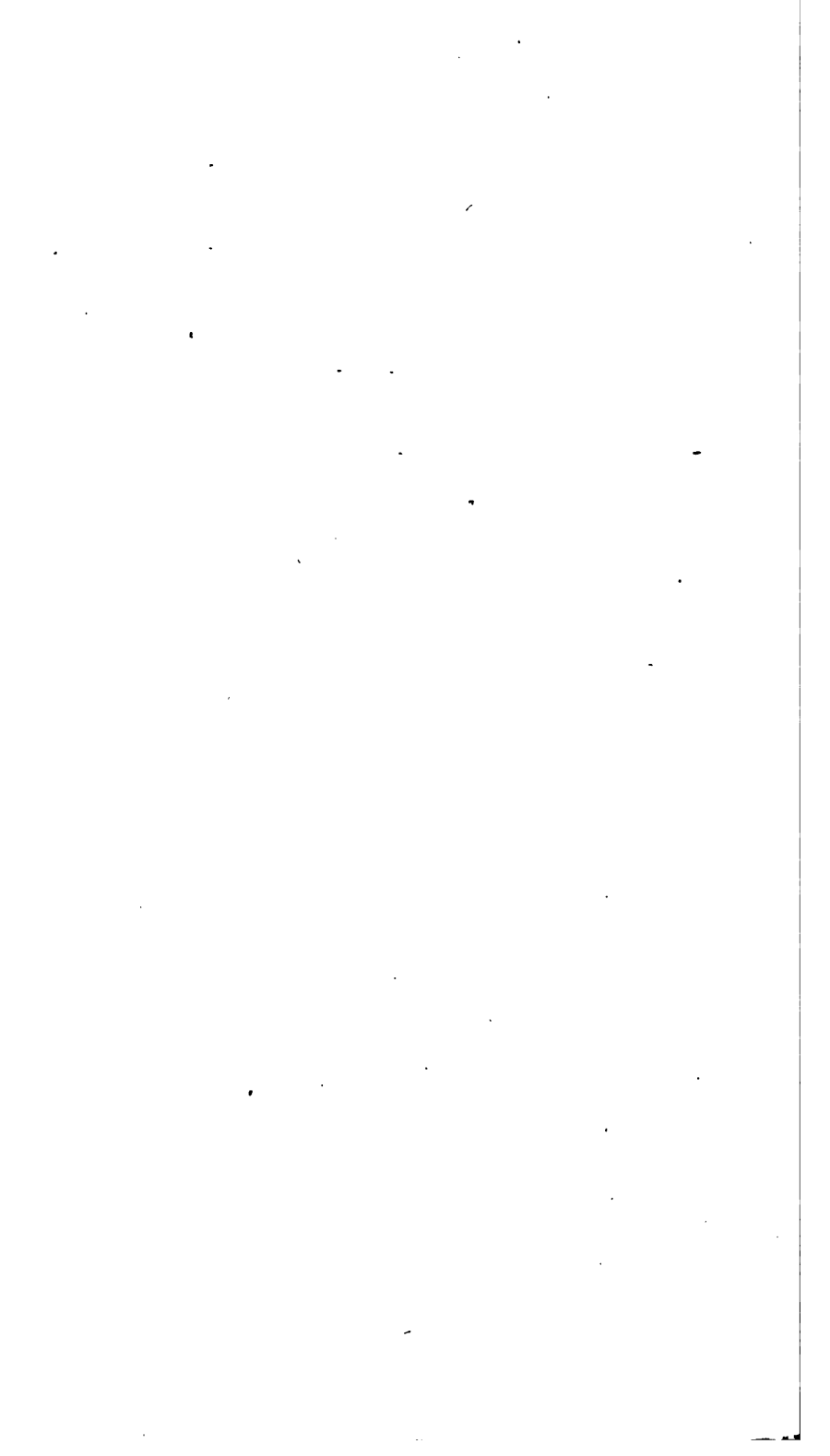
Sanctitatis radiis, in Orbe refulsit.

Behold the Martyrs who for Truth have died,
 Heaven's Glory now, and Britain's greatest Pride.
 No Popish Flames to them a Period give,
 Their Memories eternally shall live.

Wise Princes and States have always had Mechanics in highest Estimation. The grand Seignior, tho' one of the greatest Princes in Europe, is always educate in some Hand-craft. The Dutch, and the Czar of Muscovy, by encouraging Crafts-Men, have made their Countries flourish, and are become the Terror and Envy of their Neighbours. King Charles II. was an excellent Worker in Ivory : Neither the Affairs of State, nor Pleasures of his Court, could divert him from his Morning Task at the Turner's Loom. Lewis the XIV. of France, was so exquisitely good at making of Watches, that he was equall'd by few in his Reign.

What Respect the Kings of Scotland have put upon Tradesmen, the following History of the Blue Blanket, or Crafts-Mens Banner, will declare. They have had the Happiness to taste the Bounty of our Princes in the highest Honours : For this Order of the Blanket, originally of Ecclesiastick Institution, is confirmed by the Royal Sanction. It had its Rise about the 1200 Year of GOD, when the Croisade was carried on by Pope Urban the Second ; and so is older than any of the Orders of Knighthood in Europe, save that of St. Andrew, or the Thistle, which had its Original about the 800, when the King of Scots and Picts made War against Athelston King of the West Saxens ; and that of the Star, or Blessed Virgin, which, as Selden, in his Titles of Honour, remarks, had its Rise in the Year 1022 : For that Order of St. George, or the Garter, was not institute till the Year 1345, that of St. Michael, not till 1448, and that of the Golden Fleece 1429. So that I may say the Words of Doctor Hellen in his Preface to his History of the English Nobil-

lity, "Kings have so much of GOD in them, whose Deputies they are on Earth, as many Times, where they find Merit and Desert, they raise the Poor out of the Dust, that they may set them with Princes, even with the Princes of the People."



AN
HISTORICAL ACCOUNT
OF THE
BLUE BLANKET:

OR
Crafts-Mens Banner.

CONTAINING THE
FUNDAMENTAL PRINCIPLES OF THE GOVERNMENT OF THE
GOOD TOWN, POWERS AND PREROGATIVES OF THE
CRAFTS OF EDINBURGH.

THE Metropolitan City of Scotland, by some Historians, (as Buchanan observes) either thro' Ignorance, or ill Will, call'd, *Valla Dolorosa*, The doleful Valley; by the Pictish Records, *Castrum Puellarum*, the Maiden Castle, from its Royal and Impregnable Castle, built by Cruthenus Camelon, King of the Picts, where the Daughters of the Pictish Kings were kept working at their Needles, till married; which, for Strength, and Command of Prospect, may challenge Precedency of the Best in Britain. Some of the Ancient Scots call'd it, *Castrum Allatum*, others *Dunedinum*; and the latter *Edinum*, which we render, *Edinburgh*. 'Tis situated on the declining of an Hill; from

whence she views her tributary River Forth, encompassed about with fertile Fields, spacious Pastures, and goodly Gardens, grown by Degrees, in such Magnificence of Buildings, as to stand in Competition, almost, with any in Europe ; and justly merits the Encomium Dr. Arthur Johnston bestowed upon her.

That Edinburgh may view the Heavens at will,
 'Tis built upon a lofty rising Hill.
 The Fields and Rivers, which her Hand-Maids be,
 She thence views, and the tributary Sea :
 And when the Sun displays her Morning Light,
 The Palace doth present it self to Sight.
 That Princely Dwelling under Arthur Seat,
 Adorn'd by most ingenious Art of late ;
 Towards the West the glorious Castle stands ;
 Which with its Thunder giveth loud Commands.
 Each Citizen hath such a House, that it
 May Peers of greatest Quality well fit.
 The Threats of Foes do not make them dismay'd,
 Nor need they be of their Assaults afraid.
 Sure, for a Kingly City, none can wish
 A Seat that's more convenient than this.

'Tis not only beautiful, but ancient, tho' the Time when it was founded is not easily discovered. The Magistrates of Edinburgh, in their congratulatory Harangue to King James VI. of Scotland, and I. of England, recorded in the Muses Welcome to that Prince, assert, it was builded by Fergusins, the first Builder of this Kingdom, Three hundred and thirty Years before the Incarnation of Christ.

In our fierce and frequent Wars with the Picts, Danes, Romans, and English, this City was so often destroyed, her Monuments and Charters lost, that her Original cannot well be documented. The first Char-

ter I find in her Favours, is granted by King Alexander I. surnamed the Good, and the Second by his Successor St. David. 'Tis generally agreed upon, that it was made a Burgh Royal by King William I. in whose Reign a Fervour of Devotion, encourag'd by Pope Urban II. seis'd the Spirits of the Princes and Cavaliers of Europe, under the Command of Godfrey of Bulloign, to rescue Palestine and the City of Jerusalem out of the Hands of Saladine, and to pluck the Sepulchre of Jesus from the Possession of the Infidels. The zealous Pontiff was afflicted, that the Holy Land, the City of God, the Inheritance of Jesus, should be sully'd by Infidels, Saracens and Turks; who, in some Measure, might be said to have driven our Lord from his Capital, that the Cross, the Glory and Ornament of Crown'd Heads, should be trampled upon by the vilest of Adam's Posterity. Therefore he inculcated the Necessity of taking Arms, and united all the Powers of Christendom; and to whet their Courage, promis'd to those that would join in this holy Service, a plenary Indulgence, that is, A Remission of all Penances impos'd by Confessors.

Vast Numbers of Scots Mechanics having followed this holy War, taking with them a Banner bearing this Inscription out of the li. Psalm, *In bona voluntate tua edificenter muri Jerusalem*. Upon their returning Home, and glorying, that they were amongst the fortunate, who placed the Christian Standard of the Cross in the Place that Jesus Christ had consecrated with his Blood, they dedicated this Banner, which they stil'd, The Banner of the Holy Ghost, to St. Eloi's Altar in St. Giles's Church in Edinburgh; which, from its Colour, was called, The Blue Blanket.

Tho' none of our Historians mention the Original Institution of the Blue Blanket, nor is there any Vouchers for it, saving old imperfect Manuscripts; yet 'tis highly probable, it had its Rise from the Croisade, or Holy War: For Monsieur Chevereau, in his History of the World, tells us, That Scotland was engaged in that War, and sold or mortgaged their Estates for that Expedition; and that she was amongst the most forward Nations in it. Père Maimbourg, *Histoire des Croisades*, informs us, That the Knights of St. Lazarus, an Order of Men educate to the holy War, were numerous every where, but especially in Scotland and France; as appears by the Charters and Grants of Princes in their Favours; and the distinctive Crosses they wore, evince, that the Scots were as forward, gallant, and zealous in the Service, as any of their Neighbours.

Our Histories bear, That a great many of the Scots went to that War, under the Command of Allan, Lord great Steward of Scotland; and they, with their Confederates, got Possession of Jerusalem in 1099.

When Saladine prevail'd against the Christian Arms, William King of Scotland assisted the War with Money, and sent Supplies of Men to the meritorious Action, under the Command of David his Brether, and that Five thousand Scots had their Share in the Malheurs and Successes of that unfortunate Enterprise. And if we may believe Boethius, in *Vita Gull.* the renown'd City Ptolomais was taken by the good Conduct of Earl David, Brother to the King of Scots, Anno 1091, and that the Christian Intelligencer was one Oliver, a Scots Man.

This Blue Blanket, whose Original I have endeavour'd to discover, was, in the dark Times of Popery, held in such religious Veneration, that whenever Mechanicks were artfully wrought upon by the Clergy, to display their holy Colours, it served for many Uses, and they never fail'd of Success in their Attempts. Which is not to be wondred at ; for as the learned and judicious Doctor Abercromby observes in the Life of St. David, King of Scotland, speaking of the Battle of the Standard, ' So good a Use have Churchmen in all Ages been known to make of Religious Pageantries, and so much have the Vulgar been misled into the Belief of Heavenly Protection, by the Legerdemain Tricks of spiritual Guides, who, while they have no other View but to gratify their private Passions, muster the deluded People into Rebellion.'

Having thus accounted for the Original of the Order of the Blue Blanket, I may fairly infer, That 'tis as Ancient, and more Honourable than the English Order of the Garter, the Institution whereof some ascribe to a Garter falling occasionally from the Countess of Salisbury, tho' others affirm, the Garter was given in Testimony of that Bond of Love whereof the Knights and Fellows of it were to be tied to one another, and all of them to the King. And others make it yet more Ancient, giving it the same Original with the Blue Blanket, relating, That when King Richard I. of England was at War against the Turks and Saracens in the Holy Land, the Tediousness whereof began to discourage his Souldiers, he, to quicken their Courage, tied about the Legs of several choice Knights a Garter, or small Thong of Leather, the only Stuff he had at Hand, that as the Romans used to bestow Crowns and Garlands for Encouragement, so this might pro-

voke them to stand together, and fight valiantly for their King.

The Crafts of Edinburgh having this Order of the Blanket to glory in, may justly take upon them the Title of Knights of the Blanket, or, Chevaliers of Arms: For, as the learned Skene, *De Verborum Significatione*, in his Title, *Banrents*, observes, That Banrents are called, Chevaliers of Arms, or Knights, who, obtaining great Honours and Dignities, have Power and Privileges granted to them by the King, to raise and lift up a Banner, with a Company of Men of Weir, either Horse or Foot; which cannot be done by any save Banrents, without the King's special Licence, as *Pasquiers*, Lib. 2. *des Recherches de la France*, Ch. 9. Fol. 100. by sundry Arguments proves, and Dr. Smith, in his Treatise of the Common Wealth of England, Lib. 1. Ch. 17. informs us, That Knights Banrents are allow'd to display their Arms on a Banner in the King's Host.

As the Knights of St. George have their Meeting at Windsor-Castle, and those of the Thistle in the Royal Palace of Holyrood-House, so the Knights of the Blanket have theirs at St. Eloi, who was a French Bishop and their Guardian, his Altar, to which they mortify considerable Sums for the maintenance of a Chaplain, and Reparation of the Ornaments of the Chapel; as appears from the Craftsmen's Seal of Cause, the Tenor of which runs thus:

A LIST

OF

ALDERMEN AND LORD PROVOSTS OF EDINBURGH, FROM 1296 TO 1582.

[From Maitland's History.]

<i>Year.</i>	ALDERMEN.	<i>Year.</i>	
1296.	William de Dedyk	1522.	Allan Stewart
1362.	William Cuppilde	1524.	Francis Ruthwell
1369.	William Cuppilde		Robert Lord Maxwell
1373.	Adam Forrester		Sir Jn. Murray of Tulchadam
	LORD PROVOSTS.		Sir Thomas Tod
1377.	John de Quhitnes		Adam Otterburne
1425.	William Liberton	1534.	James Lawson
1427.	William Levinton	1536.	Simon Preston
1429.	William Liberton	1540.	William Craik
1434.	Sir H. Preston of Craigmiller	1550.	Sir Andrew Ker of Little Dane
1439.	Thomas Cranstoun	1553.	Arch. Douglas of Kilspindy
1447.	Patrick Cockburn	1554.	Arch. Douglas of Kilspindy
1448.	Patrick Cockburn	1555.	Arch. Douglas of Kilspindy
1449.	Patrick Cockburn	1556.	Arch. Douglas of Kilspindy
1451.	Thomas de Cranston	1557.	Lord Seaton
1457.	Alexander Naper	1558.	T. Maccalsean of Clifton-Hall
1462.	Andrew Ker	1559.	Arch. Douglas of Kilspindy
1467.	Robert Mure of Polhellie	1560.	Arch. Douglas of Kilspindy
1470.	John Naper	1561.	T. Maccalsean of Clifton-Hall
1477.	James Crichton of Ruthven	1562.	Arch. Douglas of Kilspindy
1481.	William Bertram	1563.	Arch. Douglas of Kilspindy
1482.	Patrick Baron of Spittlefield	1564.	Arch. Douglas of Kilspindy
1484.	John Naper	1565.	Sir S. Preston of Craigmiller
1491.	Richard Lawson	1566.	Sir S. Preston of Craigmiller
1492.	John Murray of Tulchadam	1567.	Sir S. Preston of Craigmiller
1494.	Walter Bertram	1568.	Sir S. Preston of Craigmiller
1501.	Alexander Lauder	1569.	The Laird of Grange
1502.	Alexander Lauder	1570.	James Macgill
1503.	Alexander Lauder	1571.	James Macgill
1504.	Richard Lawson of Hieriggs	1572.	James Macgill
1506.	Alexander Lauder	1573.	Lord Lindsay
1510.	Alexander Lauder	1574.	Lord Lindsay
1511.	Sir Alexander Lauder	1575.	Lord Lindsay
1513.	Arch. Douglas, Earl of Angus	1576.	George Douglas of Parkhead
1514.	Alexander Lord Home, Great Chamberlain of Scotland	1577.	George Douglas of Parkhead
1515.	Patrick Hamilton of Kincavel	1578.	Archibald Stewart
1516.	David Melvine	1579.	Alex. Clark of Balbirny
1517.	Archibald Douglas	1580.	Alex. Clark of Balbirny
1520.	Robert Logan of Coatfield	1581.	Alex. Clark of Balbirny
		1582.	Alex. Clark of Balbirny

THE NEW YORK &
PUERTO RICO
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rie	John Robertson	Patrick Thomson
rie	John Robertson	Samuel M'Clellan
neyne	Patrick Hallyburton	Samuel M'Clellan
inning	Patrick Hamilton	George Lawson
inning	James M'Lurgg	George Lawson
inning	Sir James M'Lurgg	John Cleghorn
obertson	Adam Brown	John Cleghorn
obertson	Adam Brown	James Nimmo
herland	Robert Blackwood	James Nimmo
herland	Sir Robert Blackwood	William Jaffrey
herland	Sir Samuel M'Clellan	William Jaffrey
herland	William Neikon	William Baird
ood	William Neikon	William Baird
rown	George Warrender	Gavin Plummer
rown	George Warrender	Gavin Plummer
prince	John Duncan	William Dundas
prince	John Duncan	William Dundas
n	William Hutchison	Robert Todd
n	William Hutchison	Robert Todd
oung	Robert Craig	John Forrester
oung	Robert Craig	John Forrester
ummond	John Wightman	Robert Wightman
ummond	John Wightman	Robert Wightman
ajoribanks	James Cleland	George Drummond
ajoribanks	James Cleland	George Drummond
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enzies	George Drummond	William Hutton
enzies	George Drummond	William Hutton
gusson	Archibald Macauley	David Flint
arrender	Archibald Macauley	David Flint
arrender	Patrick Lindsay	James Donaldson
omson	Patrick Lindsay	James Donaldson
	James Nimmo	James Davidson
	James Nimmo	James Davidson

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 chosen Dean of Guild, and James Dick succeeded him.
 nance of an order from the Convention of Estates, and
 son of Charles Hope, he having been elected first Bailie.

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rie	John Robertson	Samuel M'Clellan
neyne	Patrick Hallyburton	Samuel M'Clellan
inning	Patrick Hamilton	George Lawson
inning	James M'Lurgg	George Lawson
inning	Sir James M'Lurgg	John Cleghorn
Robertson	Adam Brown	John Cleghorn
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herland	Robert Blackwood	James Nimmo
herland	Sir Robert Blackwood	William Jaffrey
herland	Sir Samuel M'Clellan	William Jaffrey
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 son of Charles Hope, he having been elected first Bailie.

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EDS VI., TO THE YEAR 1729.

D.	E.	DEAN OF GUILD.	TREASURER.
	J	John Byres	George Swittie
	J	John Byres	George Swittie
	J	Thomas Inglis	Patrick Ellis
e	J	John M'Naught	James Rae
e	Jon	John M'Naught	James Rae
e	Jiot	John M'Naught	David M'Call
	J	Joseph Majoribanks	David M'Call
	J	Joseph Majoribanks	David M'Call
	J	Joseph Majoribanks	William Gray
	J	Nicholl Edward	James Loch
	Jg	William Dick	James Loch
	histon	John Sinclair	David M'Call
	J	John Sinclair	Charles Hamilton
H	Jon	Sir John Sinclair	James Rochhead
d	J	Sir John Sinclair	John Fleeming
	J	James Cochran	John Fleeming
	J	James Cochran	James Fleeming
	J	Peter Cockburn	William Trotter
	J	Archibald Todd	William Trotter
	eriff	Archibald Todd	William Mudie
	bn	George Swittie	John Fairholme
		George Swittie	John Fairholme
		George Swittie	John Josie
		George Swittie	Patrick Thomson
	ads	George Swittie	Thomas Lishman
		George Swittie	John Hilston
	tt	George Swittie	John Liddle
	ks	James Rochhead	Andrew Bryson
		George Swittie	Andrew Bryson
		George Swittie	Andrew Bryson
		David Wilkie	Archibald Ker
	on	David Wilkie	Francis Kinloch
	a	David Wilkie	William Johnston
		David Wilkie	William Johnston
		Robert Murray	William Johnston
		Edward Edgar	Thomas Murray
		Edward Edgar	George Jarden
	er	Robert Sandilands	James Davidson

on t Sinclair, and on the lect to be Treasurer, D. M'Call; and his
 became entered Scotland in the month of July, but there was a Com-
 munity wellings. e These were elected on the 9th of March
 Comm the next orders,—which being intimate to the Council of

THE NEW
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T... FOU

OF EDINBURGH, FROM THE

MERCHANT COUNCILLORS.

ands	Hugh Cleghorn	John Cochran
ne	John Henderson	Thomas Young
	John Paton	Gavin Hamilton
emery	James Stewart	John Rocheid
erson	David Baird	Hugh Clerk, jun.
burton	Archibald Balfour	James Stewart, sen.
arp	Thomas Allan	John Brown
incald	Robert Bale	Archibald Angus
	John Yetts	George Arbuthnot
	James Deans	John Dewar
	Patrick Crawford	Archibald Stewart
as	Thomas Fairholm	James Mansfield
ter	Archibald Hart	Robert Forrester
n	Eben. McCulloch	Niel Macvicar
ant	Alexander Purves	John Bell
e	William Douglas	John Carmichael
hael	Alexander Brown	James Milroy
ott	Alexander Grant	Patrick Lindsay
allace	William Sands	James Macniel
r	John Dunsmure	Arch. Campbell
d	Adam Fairholm	Andrew Simpson
	Robert Cleugh	James Rocheid
ie	John Walker	Alex. Donaldson
g	John Learmonth	John Balfour
er jun.	Andrew Rannie	Robert Lithgow
ie	Robert Selkirk	Lachlan Hunter
stone	Hugh Bell	Matthew Macalister
on	Hugh Campbell	John Mansfield
ilton	Thomas Foggo	James Wilkie
ee	William Hutton	John Brown
mond	Charles Wright	George Gray
ople	George Pitcairn	William Ramsay
wart	William Gibson	John Lothian
gg, jun.	George Chalmers	James Hunter, jun.
clay	James Stoddart	Thomas Smith
unat	Charles Butter	John Grieve
unburn	Robert Home	George Rigg
ender	George Dunsmure	William Nicol
e	John Kidd	Thomas Trotter
queen	Anthony Ferguson	Hugh Gray
er	William Trotter	George Webster
ng	Thomas Rannie	Thomas Cleghorn
es	John Todd	James Torry
es	John Mossman	Richard Richardson
asplin	David Forrester	William Thomson
e	Robert Fleming	Arch. Macdowall
hkis	Alexander Maxwell	William Galloway
veh	John Forrest	James Dickson

of was disabled by Act of Parliament on 13th July 1737, on ac-
 cession, and the subsequent year there was a poll election.
 Lord Provost Kincaid died in office 29th

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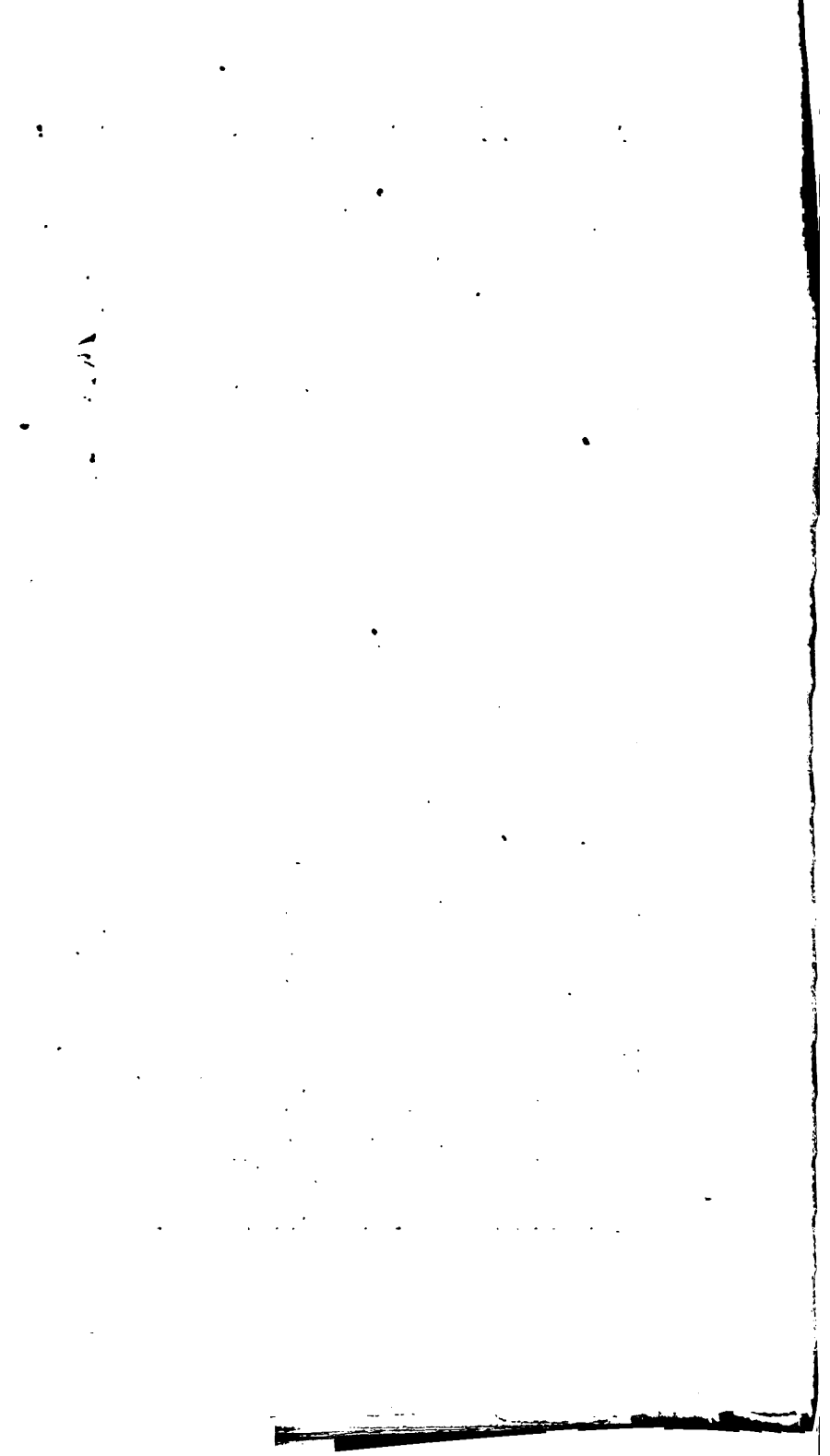
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HAVERS. 12	WAULKERS. 13	BONNETMAKERS. 14
iam Thom	William Miller	Robert Gedd
Craig	William Miller	Robert Gedd
Craig	Robert Phin	John Auchterlonie
les MacLaggan	Robert Phin	John Auchterlonie
les MacLaggan	John Douglas	Robert Wemyss
iam Forrester	John Douglas	Robert Wemyss
iam Forrester	Thomas Miller	Alex. Ferguson
es Thomson	Thomas Miller	Alex. Ferguson
es Thomson	Thomas Tibbets	Adam Brooks
iam Forrester	Thomas Tibbets	Adam Brooks
iam Forrester	Thomas Miller	Alex. Ferguson
mas Gibson	Thomas Miller	Alex. Ferguson
mas Gibson	Thomas Tibbets	John Auchterlonie
iam Raeburn	Thomas Tibbets	John Auchterlonie
iam Raeburn	George Kerr	Adam Brooks
ick Fairley	George Kerr	Adam Brooks
ick Fairley	James Denholm	John Crombie
kander Nisbet	James Denholm	John Crombie
kander Nisbet	Thomas Miller	John Auchterlonie
es Baillie	Thomas Miller	John Auchterlonie
es Baillie	James Denholm	Alex. Ferguson
mezer Gairdner	James Denholm	Alex. Ferguson
mezer Gairdner	George Muirhead	William Purcell
rew Gairdner	George Muirhead	William Purcell
rew Gairdner	Peter Pridie	Adam Brooks
liam Raeburn	Peter Pridie	Adam Brooks
liam Raeburn	Robert Pridie	John Cumming
es Thomson	Robert Pridie	John Cumming
es Thomson	James Denholm	David Pollock
Thomson, <i>Stias</i>	James Denholm	David Pollock
Thomson, <i>Stias</i>	Robert Wilson	John Auchterlonie
rew Gairdner	Robert Wilson	John Auchterlonie
rew Gairdner	James Denholm	William Paterson
Thomson, <i>2dus</i>	James Denholm	William Paterson
Thomson, <i>2dus</i>	Charles Calder	James Hialop
omas Thomson	Charles Calder	James Hialop
omas Thomson	James Denholm	Alexander Lawrie
es Burn	James Denholm	David Pollock
es Burn	Robert Pridie	David Pollock
Thomson, jun.	Robert Pridie	James Gibson
Thomson, jun.	James Denholm	Alexander Lawrie
n Drummond	James Denholm	Alexander Lawrie
n Drummond	Robert Pridie	John Crombie
omas Thomson	Robert Pridie	John Crombie
omas Thomson	William Tibbets	D. Pollock, senior
es Burn	William Tibbets	D. Pollock, senior
es Burn	James Sutherland	T. Auchterlonie
n Guthrie	James Sutherland	T. Auchterlonie
n Guthrie	Robert Pridie	William Paterson
omas Thomson	Robert Pridie	William Paterson

Thomson was elected 2d Trades Councillor. Matthew Martin died, and Superintendent of Water, and James Newton was elected 2d Trades Councillor took place.

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Seal of Cause for the Hammermen of Edinburgh, &c.

TILL all and syndry quham it effiers, quhais
 Knowledge thir present Letters shall to cum,
 Andrew Bartrem Provost of Edinburgh, George Ed-
 wardson, John of Livingston, Allexander Crawfoord,
 James Aikman, and John Bissett, Baillziets of the
 said Burgh, Greeting ; For sae meikle as, the Hedis-
 men and Maisters of the Hammerman, and Maisters
 of the Hammerman Craft, baith Black-smythes, Gold-
 smythes, Lorimers, Sadlars, Cutlars, Buckle-makars,
 Armourars, Peudrars, and all uthers within the said
 Burgh, has humyly menynt and shawin, baith to our
 Soverain Lord the King, and to us, the great Skaith,
 Lak and Dangire done to thaim, and the great Damp-
 nage, Hurt and Prejudise done to our Soveraine
 Lord's Realme and Lieges in thir Points that efter
 folows, throw the quhilke the saids Craftismen are
 heryit and put to Poverte, besekand our Lord's gud
 Graice, and us in his Name, of Remed and Reforma-
 cioune thairof, and to set sic Statuts and Ways thair-
 upon, that the saids Dampnages, Lak and Dangirs
 may be ischewit, and the said Craft of Hamyrmen ex-
 ercit in Time cumying, to the Honour of our Soverane
 Lord and his Realme, and to the Wele and Profit of
 the saids Craftismen, and all uthers his Lieges : that
 is to say in the first, That the said Craft is abusit,
 and the Maisters and Hedismen thairof gretly skaith-
 it by the daily Markat maid in Cremys, and be vile
 Persones throw the hie Street, and on the Back Half
 of the Town, in bachlying of the Hammyrmenis
 Work and thair Craft in lack and dishonouring of
 our said Burgh, and in breking of the gud Rule, lov-

' able and old Statuts, maid diverse tymes thairupon of
 ' before: We herefer understanding the reasonable
 ' Supplicacioun, and just Peticion of the said Craft-
 ' ismen, desiring to sett Reme^r, and doe Justice thair-
 ' untill, to the Honour of the said Burgh, and commone
 ' Wels of the said Craftismen and this hale Realme,
 ' has, according to our Soverane Lord Writinis and
 ' Charges gevan to us thairupon, the common Profyt
 ' beyng always considerit, Statut, devisit and ordain,
 ' and be thir our present Letters statuts, divisis and
 ' ordainis, That in Time cumying, thair be na opyn
 ' Markat maid, or usit be quhatsumevir Personis, of
 ' any Wark pertenyng to the saids Hammyrmen of
 ' thair Craft, in schewing thair of in Hands upone the
 ' hie Street, nor in Cremys, nay in Burds, nor uther-
 ' ways within the said Burgh, nor in thair Buthis, ex-
 ' cept alanarly the Markat Day. *Item*, That na Par-
 ' sonis of the Hammyrman Craft sett up Buth to wyrk
 ' within the said Burgh quhill he be made an Freeman
 ' thair of, and be examinait be thrie of the best Mastars
 ' of the said Craft, gif he be sufficient, and wyrkand
 ' good and sovir Wark, fyne Stuff, and habill to serve
 ' our Soverane Lord and his Lieges, and then to be ad-
 ' mittit to set up Buth, he payand therefor to the
 ' said Uphald of Divyne Service to be done at St.
 ' Eloi's Altar, and Reparacioun of the Ornaments
 ' thair of, Fourtey Shillings. *Item*, That every Craft-
 ' isman that taks ane Prentice to tech him the said
 ' Craft within the said Burgh, sal pay for his Entry
 ' to the Uphald of the said Altar and the Ornaments
 ' thair of, Twenty Shillings. *Item*, That non of the
 ' saids Craftismen tak any uther feit Man to wyrk on
 ' the said Craft quhill his Prentischip be fulfillit and
 ' completit, under the Pain of Twenty Shillings. *Item*,

' That nane of the saids Craftismen reassave nor lat
 ' wark within his Buthe ony Man, without he be uther
 ' his Prentiss or feit Servant, sa that the Master of the
 ' Buthe sal answer for his Wark and Fynenes thairof.
 ' *Item*, That nane of the said Craftismen resett, tak,
 ' nor fee ane uther Manis Prentis nor Servand, nor
 ' give him Wark, without it be clearly understaund
 ' that he be free of all other Menis Service. *Item*,
 ' Upon ilk Satirday Afternoon, that twa or thrie of
 ' the worthyest Maisters and of maist Knowledge of
 ' the said Craft, chosine thairto be the hail Fallow-
 ' ship, pass with thair Officiar, and serch and se all
 ' Menys Wark in the said Craft gif it be sufficient in
 ' Stuff and Warkmanship, gud and habill Wark to
 ' serve our Soverane Lords Lieges with: And quhar
 ' it beis fundyne faltive, to forbid the samyne, under
 ' the Pain of escheating thairof als aft as he beis fun-
 ' dyne faltive. *Item*, That all thir Craftismen above
 ' writen sal convene Tyme and Place to be thocht ex-
 ' pedyent als aft as thay plaise, to common upon the
 ' breaking of thir Statuts above expremitt, and to cer-
 ' tifie the Prouost and Bailzies thairof that sall be for
 ' the Tyme, that Reformacioun and Punicioun may
 ' be done thairupon as effiers. *Item*, That every Man
 ' breker of thir forwrittine Statuts, pay for ilk ane of
 ' thaim als aft as thay happen to be brokin in his de-
 ' falt, Aught Shillings to be taken but Favore, to the
 ' Reparacioun of the said Altar and Ornaments thair-
 ' of, and that all Men of the said Craft doe and fulfil
 ' ther ald usand Consuetud in all Thyngs to the Up-
 ' hald of Divyne Service at the said Altar Oukly and
 ' Dayly, and ane honourabill Chaplin thairof to thair
 ' Craft as effiers; and gif the Maisters and Hedismen
 ' of the said Craft dois nocht thair Dilligence, to cause

‘ all their Statuts above writtine be observit and kepit,
 ‘ and Falts thair of to be serchit and punysht thairfor
 ‘ be the Provost and Baillzies, as sall be sene conso-
 ‘ nant to Reassone. And this to all quham it effiers,
 ‘ or may effier, we mak knawn faythfullie be thir our
 ‘ present Lettirs, and in witnessing thair of, we have,
 ‘ at the Command of our Soverane Lord, and Desyre
 ‘ and Request of the sayds Craftismen, maid our com-
 ‘ mon Sele of Cause to be hingyen to thir Presents, at
 ‘ Edinburgh the 12th Day of April, the Zeir of God a
 ‘ Thousand and four hundreth ninety and six Zeirs.’

Ratification in favours of the Hammermen of
 Edinburgh.

‘ **A**TT Edinburgh the sixt Day of September 1681
 ‘ Years, Our Soveraign Lord, with Advice and
 ‘ Consent of his Estats of Parliament presently con-
 ‘ veened by his Majesties speciall Authority, hes rati-
 ‘ fyed and approven, and hereby ratifies and approves
 ‘ the haille Rights, Priviledges, Immunities and Casual-
 ‘ ties, granted to, and in Favores of the Deacon, Box-
 ‘ masters, Masters, Patrons, and remanent Members of
 ‘ the Magdalen Chaple, consisting of Smiths, Cutlers,
 ‘ Saidlers, Lorimers, Armorers, Peutherers, Shear-
 ‘ Smiths, and all others incorporat, or to be incorpor-
 ‘ ate with them, by our Soveraigne Lord, or any on
 ‘ other of His Majesties Royall Predecessors, or
 ‘ by the Provost, Baillies, and Toun Council of the
 ‘ said Burgh of Edinburgh, and Mortifications grant-
 ‘ ed to them, by whatsomever Person or Persons, of
 ‘ whatsomever Date, Tenor, or Contents the samin be
 ‘ of, and bear : and particularly, but Prejudice of the
 ‘ said Generality, an Seal of Cause granted to

‘ them by the Magistrats and common Council of the
‘ said Burgh of Edinburgh, upon the Tuelvth Day of
‘ Aprile 1496, as the samen in it self more fully bears,
‘ In the haill Heads, Clauses and Articles therein con-
‘ tained, after the Form and Tenor thereof, in all
‘ Points, and Wills, and Grants, and for His Majesty,
‘ and His Highnes Successors, with Advice and Con-
‘ sent foresaid, decerns, declares, and ordains this pre-
‘ sent general Confirmation to be als sufficient, valid
‘ and effectual in all Respects, as if the saids haill
‘ Rights, Grants, and Priviledges; and particularly
‘ but Prejudice of the foresaid Generality, the Seall
‘ of Cause, and Gifts of Mortification above mention-
‘ ed, were *de verbo in verbum* herein expressly sett
‘ down, ingrossed and repeated. Likeas, His Majesty,
‘ with Advice and Consent forsaid, hes ratified, and
‘ hereby ratifies, approves, and confirms to the said In-
‘ corporation of Hammermen, all and sundry their
‘ Rights and Priviledges, whereof they have been in
‘ Use and Possession; and particularly, of seasing and
‘ apprehending of all and whatsomever Work belong-
‘ ing to, or that can be made, furnished and compleat-
‘ ed by them, that shall happen to be imported within
‘ the said Burgh, any Time hereafter (except upon
‘ the Mercat Day) and there escheating and confiscat-
‘ ing the one Half thereof to His Majestys Use, and
‘ the other Half of the samen to the Use of the Poor
‘ of the said Incorporation. And further, discharges
‘ and inhibits all, and whatsomever Work belonging
‘ to, or can be made, furnished and compleated by
‘ them, to be inbrought, sold, vented or retaild within
‘ the said Burgh, by any Person or Persons, except
‘ within the Boothes and Shops of the Freemen of the
‘ said Incorporation, but what shall happen to be in-

‘ brought on the Mercat Day, and vented, sold, and
 ‘ ratil’d on the Mercat Day, at the ordinary Mercat
 ‘ Place, between ten Hours in the Morning, and two
 ‘ in the Afternoon, and that under the pain of Con-
 ‘ fiscation thereof to the Uses foresaid. Extracted
 ‘ forth of the Records of Parliament, by me Sir *Tho.*
 ‘ *Murray of Glendoick* Knight and Baronet, Clerk to
 ‘ His Majestys Council, Register and Rols.
 ‘ *THO. MURRAY Clerk Register.*’

The Trades being thus confirmed in their Privileges by the Royal Sanction, gave such extraordinary Proofs of Loyalty, that they established themselves in the Grace and Favour of their Princes ; and their loyal Actions I shall trace, beginning with the Reign of

KING ROBERT BRUCE.

For many eminent Services performed by the Crafts, and other Citizens of Edinburgh, contained in an Charter granted by the said King Robert, dated at Cardross, in the 24th Year of his Reign : He Dispones to the Provost, Baillies, Council and Communities of the said Burgh, and their Successors, the Haven of Leith, Mills, and other Pertinents thereof, to be holden of His Majesty, and Successors, als freely, and with the same Liberties and Commodities, as the same were enjoyed in the Time of King Alexander his Predecessor, of happy Memory, for Payment of 52 Merks. Nor was Edinburgh, by her loyal Deportment, less in Favour with his Successor,

KING ROBERT the II.

In the Beginning of his Reign, Edinburgh, to speak properly, was not the Capital City of Scotland, being only a small Burgh (which made Walsinghame, and other Historians of these Times, call it a Village) the Houses of which, because they were so often expos'd to Incursions from England, being thatch'd for the most Part, with Straw and Turf; and then burnt, or demolish'd, were with no great Difficulty repair'd: For in ancient Times, the Highlands was properly the Scots Kings Territories, till the Picts were expell'd, who had Edinaburgh, and the Lothians in Possession, in the Reign of King Kenneth II. Anno 839: But the Loyalty of the Citizens, impregnable Strength of the Castle, and the Conveniency of the Abbey of Holy Rood-House, in the Royal Chappel whereof his Corps is interr'd, invited the King to dwell, and hold his Parliament there. From this proceeded a great Concourse of People, who were of Course obliged to resort to it, and occasioned these magnificent, but too costly Structures, with which it is since crowded. But the Loyalty of this City of Edinburgh, was more remarkable in the Reign of

KING JAMES III.

who having offended his Nobles, for advancing Robert Cochran, a Mason, to the Dignity of Secretary of State, and creating him Earl of Mar, James Hommel, a Taylor, and one Leonard, a Smith, to extraordinary Favour, and Places of Trust, so incens'd the ancient Peerage, for ennobling these Mushrooms, sprung from

the Dreg of the People, quarrelling the King's arbitrary Power, in dispensing these Honours, and marshalling those Persons whom he had advanced to these high Dignities, that in an impetus of Passion, they hang'd Cochran, Earl of Mar, over the Bridge of Launder, and rais'd such violent Emotions in the State; that His Majesty, for Security of his Royal Person, was forc'd to shelter himself in Edinburgh Castle. During his Confinement there, the English, with whom he was at War, having march'd to Edinburgh; and there being a Treaty betwixt the Scots and them, of the 2d. August 1482; the next Day after this Cessation, Alexander Duke of Albany, the King's Brother, importun'd by the Prayers and Tears of the Queen, for the King's Liberty, by the Assistance of William Barmet, Provost of Edinburgh *, and with him the whole Community, and Incorporations of Crafts-Men, intirely loving their King, and devoted to his Service, loyally, and generously oblig'd themselves to repay to the King the Sums of Money depurs'd by him in View of the Marriage betwixt the Duke of Rothesay and his Daughter the Lady Cecil: Or if the King did yet incline that the Marriage should be completed, they undertook for their Sovereign Lord, the King of Scotland, that he should concur, conform to his former Obligation, providing that their said Sovereign Lord, or the Lords of his Council, or the said Provost and Burghers, were informed of the King of England's Pleasure and Election upon the Matter, by the First of *All Saints* next to come. And the saids Citizens

* Fed. Aug. tom. xii. p. 161. Godscraft's History of the Douglasses. Abercromby's Martial Atchievements. Hautherden's Hist.

surpris'd and stern'd the Castle of Edinburgh ; and to the great Dissatisfaction of the rebellious Nobles, set their Sovereign at Liberty. These surprising Instances of Loyalty and Valour, for which they shall be had in everlasting Remembrance, procur'd from the King a Grant of many new Privileges, contain'd in a Patent, which they call their Golden Charter, dated 1482 ; particularly, the Magistrates are made heretable Sheriffs within the said Burgh, and Liberties of the same. And another Charter from their said Sovereign Lord, in Favours of the said Provost, Baillies, Council and Communities of the said Burgh, and their Successors for ever, of all the Customs of the Haven of Leith, and Road of the same, dated 16th November 1482 ; and a confirmation of a Charter and Infestment granted by Sir Robert Logan of Restalrig, to them, of all the Passages and Ways leading to the Haven and Harbour of Leith, and from the same ; containing divers Liberties and Immunities.

Indeed they very well deserved the Favours bestow'd on them : For 'tis certain, that upon the King of England's sending his Servant, the Garter King at Arms, to let them know, that for several great Causes and Considerations, he had intirely refus'd to comply with the Marriage betwixt the Duke of Rothesay and his Daughter, they repaid all the Money, amounting to 6000 Merks, which he deburs'd on that Account.

Having trac'd the Blue Blanket to the Origine of the Croisade, from whence it undoubtedly had its Rise, I cannot pass over in Silence the Honour put upon it by this Monarch, who was the first that gave it the Civil Sanction, not thinking the above Donatives a sufficient Reward to the Loyal Crafts, confirmed to them all the Privileges of the Blue Blanket, which

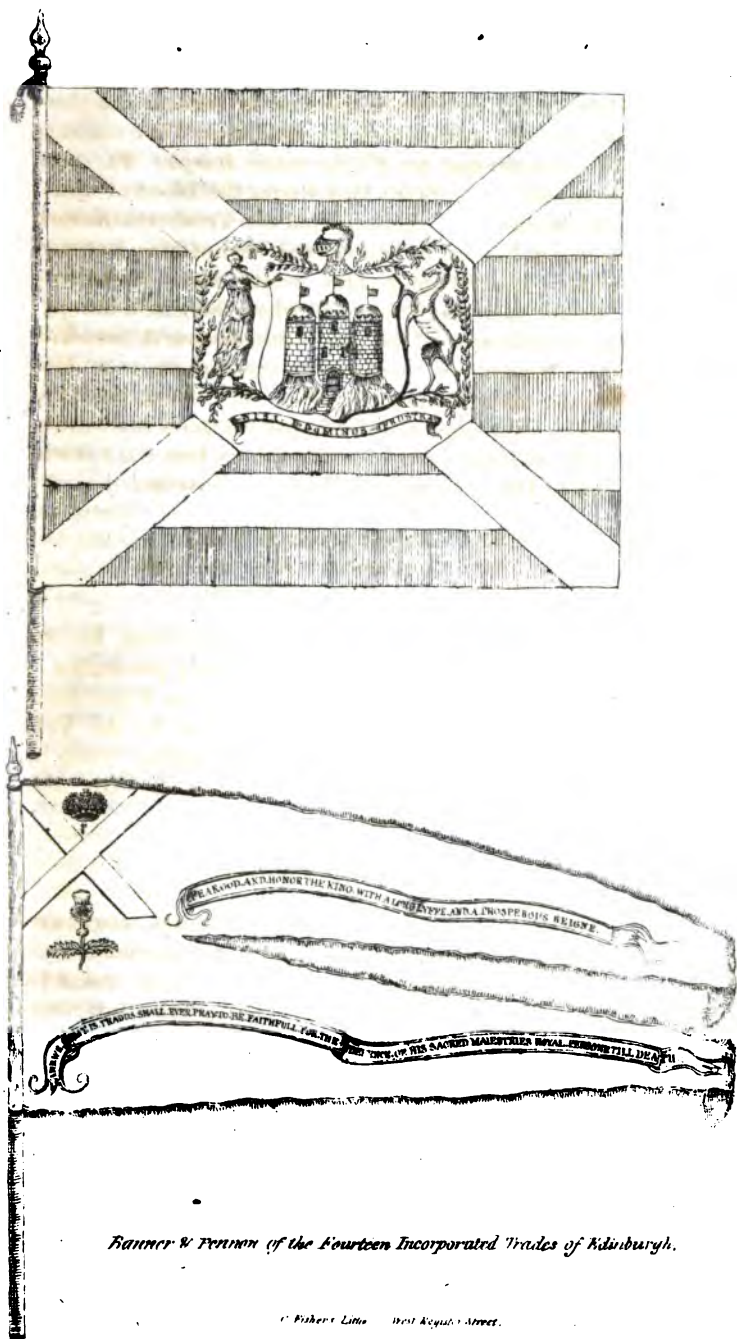
they claim'd by Prescription, or an immemorial Possession, and ordain'd it to be call'd in all Time coming, *The Standard of the Crafts within Burgh*: For that King, full of the Spirit that warms the Blood of absolute Monarchs, highly resented the Treatment Robert Cochran, Mason, by him created Earl of Mar, had met with by his factious Nobles, would needs confer this Dignity upon the Trades, in whom he plac'd his special Confidence. The Trades thus honour'd, renewed their Banner; or, to speak in the Language of Heraldry, their Ensign, by Way of Pennon, and the Queen with her own Hands painted upon it a Saltire, or St. Andrew's Cross, a Thistle, an Imperial Crown, and an Hammer, with the following Inscription:

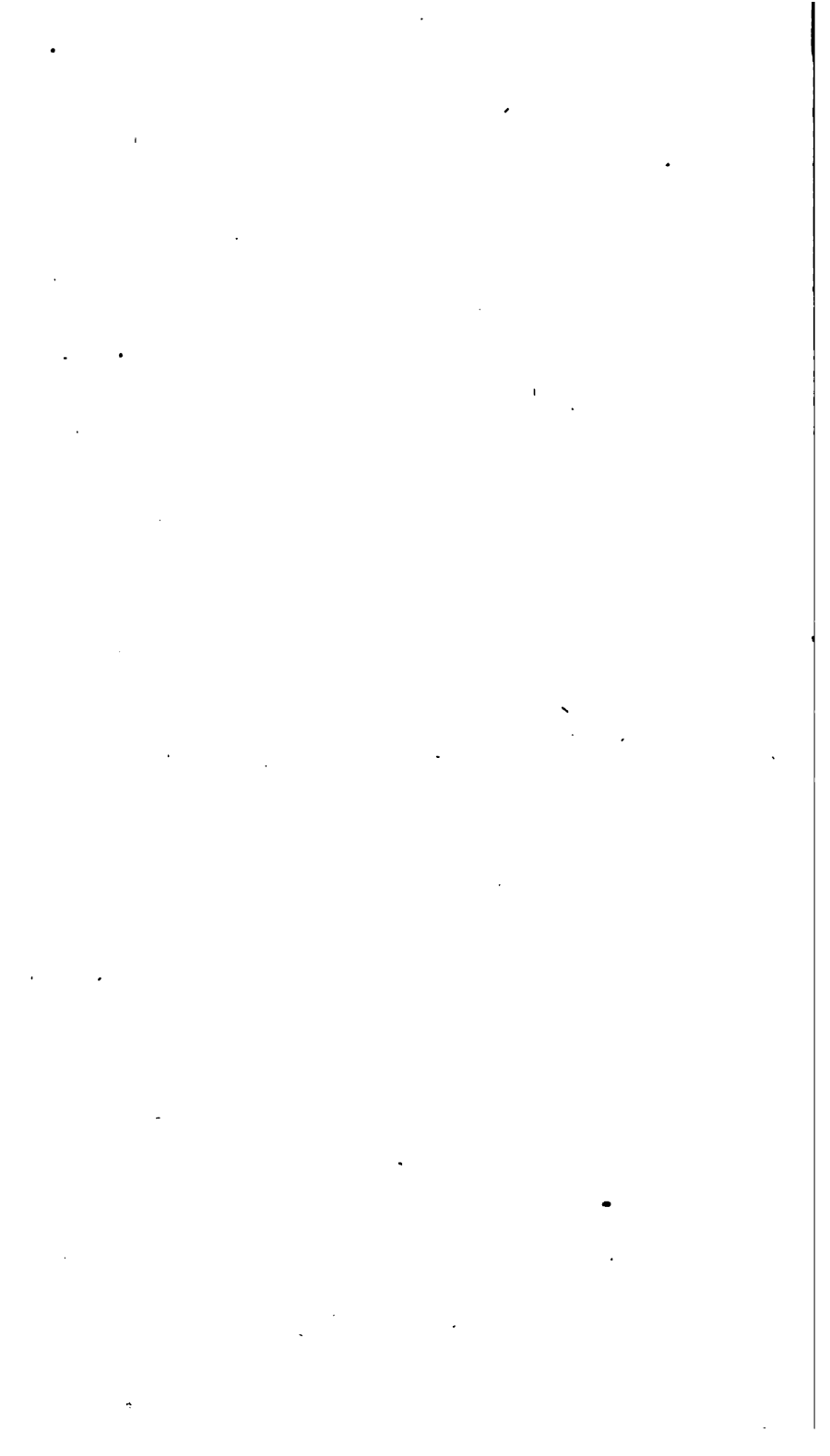
“ Fear GOD, and honour the King,
With a long Life, and prosperous Reign,
And we the Trades shall ever pray.”

The Crafts having now not only the Cross, but the Crown on their Ensign, were as firmly perswaded of Success in all their publick Actings, as Constantine the Great, the first Christian Emperor, in the Year 306, of defeating the Tyrant Maxentius, when at Noon-Day he saw a luminous Cross in the Air, with these Words in Greek,

“ In hoc Signo vinces.”

The old Nobility and Gentry were exceedingly nettled at the Proceedings of the King to re-establish his Authority, but in the Judgment of wise and loyal Men, very unjustly; for the Foundation of all Obedience to Superiors, are Rewards and Punishments, and Royalty is an Invention of Divine Wisdom, for





the Happiness of Subjects; and Kings being common Fathers to their People, are to reward Virtue wherever they find it; 'tis their Duty to do it, and the Promise of the King of Kings that they shall do it. "He will take their Daughters, and make them Apothecaries, Cooks, and Bakers; and he will take their Sons, and appoint them to his Chariots, and to be his Horsemen, and he will make them Captains over Thousands. As the Wrath of a King is like the Roaring of a Lion: So in the Light of his Countenance is Life, and his Favour as the latter Rain."

As the Crafts of Edinburgh, in the Reign of his Successors, made a very grateful and prudent Use of the Blue Blanket, with Respect to Government; so they never failed, with this Standard, to chastise all who in the least infringed their Rights and Privileges, which King James VI. takes notice of in his *Basilicon Doron*, or, Advice to his Son and apparent Successor, Henry Prince of Wales, Page 164. "The Crafts-men think we should be content with their Work, how bad soever it be; and if in any Thing they be contented, up goes the Blue Blanket."

As they flourished in the Favour of their Sovereign King James III. so did they in the Reign of that courageous and pious Prince his Successor,

KING JAMES IV.

Crown'd at Edinburgh 1489; who, for singular Acts of Loyalty perform'd by the City of Edinburgh, by his Charter of Confirmation under the great Seal, to the said Provost, Bailties, Council, and Communities of the said Burgh, ratified and confirmed the two above Charters granted by King James III. and Charter granted

by Sir Robert Logan of Restalrig; which Charter of Confirmation is dated at Stirling the 9th day of March 1510. And, by another Charter, disposed to them the Lands and Haven of Newhaven, with the Haven, Silver, and all other Profits, Duties, Liberties, and Immunities pertaining thereto, dated at Stirling the said 9th March 1510. Thus far was the City of Edinburgh honoured and privileged in the Reign of King James the IV. and were no less so, during the Government of his Son and Successor,

KING JAMES the V.

For during the Wars 'twixt him and the Earl of Northumberland, John Armstrang, Chief of a Gang of Thieves, was entic'd by the King's Officers to have recourse to the King, who had written a Letter to him with his Royal Hand, to attend him at his Palace of Hally Rood-House. The King hearing a distinct Account of the Crimes he was guilty of, ordained him to be committed to Goal, and suffer, with his Accomplices, according to Law. This notorious Highwayman, with the Assistance of his Followers, drew upon the King in his Chamber of Audience, who was, with much Difficulty, rescued by the Courtiers and their Attendants, and continued in their Hostilities, designing to have murdered every Soul in the Royal Palace, till it was nois'd in the City of Edinburgh that the King was in eminent Danger of being cut off by the Hands of bloody Ruffians, the Crafts of the City rose, and slew every one of the Assassins. The Story is preserv'd in Memory, not so much by our Historians, who gave but a faint Account of it, as a Ballad compil'd by one of the greatest Poets of that Age.

" There dwelt a Man in fair Westmorland,
 John Armstrang Men did him call,
 He had neither Lands nor Rents coming in,
 Yet he kept eightscore Men in his Hall, &c.
 The King he wrote an a Letter then,
 A Letter which was large and long,
 He sign'd it with his own Hand,
 And he promised to do him no Wrong.
 When this Letter came John him till,
 His Heart was as blyth as Birds on a Tree ;
 Never was I sent for before any King,
 My Father, my Grandfather, nor none but me, &c.
 By the Morrow Morning at ten of the Clock,
 Toward Edinborrow gone was he,
 And with him all his eightscore of Men,
 Good Lord, an it was a goodly Sight to see.
 When John came before the King,
 He fell down low upon his Knee,
 O pardon, my Sovereign Liege, he said,
 O pardon my eightscore Men and me.
 Thou shalt have no pardon thou Traytor strong,
 Nae for thy eightscore Men and thee ;
 For to Morrow Morning by ten of the Clock,
 Both thou ~~and~~ them shall hang on the Gallow Tree.

Then John looked over his left Shoulder,
 Good Lord what a grievous Look looked he !
 Said, " I have asked Grace at a graceless Face,
 Why, there is nane for ye nor me."
 But John had a bright Sword by his Side,
 And it was made of Mettal so free,
 That had not the King stept his Foot aside,
 He had smitten his Head from his fair Bodie,
 Saying, " Fight on my merry Men all,
 And see that none of you be tane ;
 For rather than Men should say we were hang'd,
 Let them report that we were slain."
 God wot, the Trades of Edinburgh rose,
 And soe beset poor John round,
 That Fourscore and ten of John's best Men,
 Lay gasping all upon the Ground," &c.

Having trac'd the legal Actions of the Citizens, especially the Crafts of Edinburgh, thro' the Reigns of several Sovereigns, before I proceed to the Reign of Queen Mary, I must take notice of the pious donations of an eminent Citizen of Edinburgh, Michael Macquhan and his Sponse, in Favour of the Hammermen, (who dedicated and consecrated the Blue Blanket to St Eloi's Altar in St Gile's Church) for founding of the Magdalen Chapel, where they now meet, which is contain'd in the following Charter.

TO all and sundry, to whos Knowledge this Presents sall come, and be seen, I, Jonet Ryne, Relict, Executrix, and only Intromissatrix with the Goods and Gear of unquhil Michael McQuhan, Burges of Edinburgh, wishing Peace in our Lord, makes known by this Presents, That when the said Michael was greatly troubled with an heavy disease, and oppressed with Age, zit mindful of Eternal Life, he esteemed it ane good Way to obtain Eternal Life, to erect some Christian Work, far ever to remain and endure, he left Seven hundred Pound, to be employed for the Supplement of the Edifice of the Magdalen Chapell; and to the other Edifices for Foundation of the Chapell, and Sustentation of several poor Men, who should continually there put furth their Prayers to God Almighty; for there was many others that had promised to mortifye some Portion of their Goods for perfeiting and absolveing of the said Wark, but they failzied, and withdrew from such ane holly and religious Work, and altogether refused thereupon to confer the samen. Quhilk Thing I taking heavily, and pondering it in my Heart, what in such ane deficle Business could be done; at

' last, I thought Night and Day, upon the fulfilling of
 ' my Husband's Will, and took upon me the Burden
 ' of the haill Work, and added two thousand Pound
 ' to the 7000 left be my Husband : And I did put furth
 ' these Soumes wholly, after his Death, upon the Edi-
 ' fication of that Chapell, Ornaments thereof, and
 ' Building of the Edifice for the Habitation of the
 ' Chaplaine, and seven poor Men, and for buying of
 ' Land, as well Field Land as Rough Land, and
 ' yearly Annuallments, for the Nourishment, Sustenta-
 ' tion, and cloathing of them, as hereafter main largely
 ' set downe. Therefore wit ye me, To the Praise and
 ' honour of Almighty God, and of his Mother the
 ' Blessed Virgine Mary, and of Mary Magdallen, and
 ' of the haill Celestial Court, to have created and edi-
 ' fied ane certain Chapell and Hospital House, lyeing
 ' in the Burgh of Edinburgh, upon the South Side of
 ' the King's high Street, called the Camgate, for Ha-
 ' bitation of the foresaid Chaplain and Poor, and that
 ' from the Foundation thereof; and has dedicate the
 ' samen to the Name of Mary Magdallen, and has
 ' foundit the said Chaplain, and seven Poor, for to
 ' give furth their continual Prayers unto God for the
 ' Salvation of the Soul of our most illustrious Mary
 ' Queen of Scots, and for the Salvation of my said
 ' unquhil Husband's Soul and mine: And also, for
 ' the Salvation of the Soules of my Fathers and
 ' Mothers, and for the Salvation of all the Soules of
 ' those that shall put to their helping Hand, or sall give
 ' any Thing to this Work: As also, for the Patrons
 ' of the said Chaple: And also, for the Soules of all
 ' those of whom we have had any Thing, whilk we
 ' have not restor'd, and for the whilk we have not gi-
 ' ven Satisfaction; to have given and granted, and by

‘ this my present Charter in poor and perpetual Alms,
‘ and to have confirm’d in Mortification : As also, to
‘ give and grant, and by this present Charter, gives
‘ in poor Alms and Mortification, to confirm to Al-
‘ mighty God, with the Blessed Virgin Mary, the said
‘ Chapell and Chapell House, for the Sustentation of
‘ ane secular Chaplain, and seven poor Men, and for
‘ Chaplain, and four poor Brethren, to have their
‘ Food, and perpetual Sustentation within the said
‘ Hospital, and for buying of their Habits every twa
‘ Year once, I mortify these Annualrents under-writ-
‘ ten ; to wit, Ane yearly Annualrent of aughtscore
‘ and aught Merks Money of Scotland, out of that
‘ Annualrent of threescore Pounds yearly, to be
‘ uplifted and tane at twa Terms yearly, Whitsun-
‘ day and Martinmass in Winter, be equall Portions,
‘ out of all and hail the Barony of Carnwath Miln,
‘ and Pertinents thereof, and the other two Merks of
‘ the said Annualrent of threescore Pound, to be ap-
‘ ply’d and used for my Use, during my Lifetime, and
‘ after my Decease, to the poor Brethren under-writ-
‘ ten : As also, for the Dyet and Sustentation of other
‘ three poor ones, and buying of their Habites ilk twa
‘ Year, after the Decease of me the said Jonet, re-
‘ serving to me my Liferent during my Lifetime, viz.
‘ The foresaid Annualrent of twa Merks of the said
‘ Annualrent of threescore Pounds yearly, to be up-
‘ lifted out of the Lands of Carnwath : As also, ano-
‘ ther yearly Annualrent of twenty Merks Money of
‘ Scotland, yearly to be uplifted, as said is, out of all
‘ and hail the Lands pertaining to Kathrine Gillespie
‘ and John Cockburn her Spouse, lyand in the Burgh
‘ of Edinburgh, upon the south side of the high Street
‘ thereof, betwixt the Trans of the Vennel called

‘ Hair’s Closs, and the Trans of the Vennel called
‘ Borthwick’s Closs: As also, ane other yearly An-
‘ nualrent of ten Merks. out of the Tenement of um-
‘ quhile Andrew Harly, lying upon the North Part of
‘ the King’s high Street: And also, ane other An-
‘ nualrent of 12 Merks, out of the Tenement of Land
‘ pertaining to umwhile James Young: And als, ano-
‘ ther Annualrent of xiii sh. iiii. d. out of the Tene-
‘ ment of Land pertaining to Edward Thomson Bax-
‘ ter, lyeing in the said Burgh in Peebles-Wynd.
‘ Whilk Chaplain and his Successors, shall have for
‘ their Yearly Sustentation Twenty Four Merks Mo-
‘ ney of Scotland, out of the foresaid yearly Annual-
‘ rent of aughtscore and aught Merks, dursing Jonet
‘ Rynd’s Lifetime, and after her Decease, out of all
‘ the foresaid yearly Annualrents, to be taken up be
‘ himself at Whitsunday, and Martinmass in Winter,
‘ evry Year in all Time comeing, be equal Portions.
‘ Whilk Chaplain shall have the Care, Government
‘ and Administration of the foresaid Hospital, and of
‘ the foresaid poor Brethren, and of all other poor
‘ Brethren that shall, in any Time thereafter, be put
‘ thereintill, and shall, three Times in the Year, pro-
‘ vide to them the Ecclesiastical Sacraments, provide-
‘ ing they be found meet and apt for receaving there-
‘ of; to wit, the Feast of Pasch, Pentecost, and Na-
‘ tivity of our Lord Jesus Christ. Whilk Chaplane
‘ also shall see, that in the foresaids Feasts, and other
‘ convenient Times, chiefly when they shall be sick
‘ of any heavie Infirmitie, how the foresaid Poor
‘ shall be worthyly disposed for receaving of the
‘ Sacrament; and for that Effect, he shall exhort
‘ them, and shall charitably move them, and shall
‘ hear their confessions. And the said Chaplain

' shall be obliged every Feriat Time of the Week,
 ' if it be not ane Feast Day, to make ane Mess of
 ' Rest, with ane Psalm direct to the LORD, for
 ' the foresaid Soule. Neither shall it be leisme to
 ' the said Chaplain to have any Substitute under him,
 ' to serve in the said Hospital for him, except in the
 ' Time of Infirmitie and Weakness altogether; to the
 ' whilk Mess the foresaid seven Poor, and any others
 ' to be found thereintil to be present, and to interceed
 ' at God for the foresaid Soule, and he sall have ane
 ' Care, that the foresaid Poor shall dilligently observe
 ' the whole Foundation and Articles as is herein sett
 ' down. And farther, We will and ordain, that The
 ' said Chaplane and his Successors for the Time, at
 ' the first term of their Entry and Admission in the
 ' said Hospital, shall find sufficient Caution to the Pa-
 ' trons of the said Hospital, for the well Preservation
 ' of all the Jewells, Ornaments, and others whatsem-
 ' ever, whilk sall belong to the said Hospital, to be
 ' delivered be them to the Patrons under an Inventory;
 ' and that he shall not sell, nor put away any of the
 ' said Ornaments, neither shall it be leisme to the
 ' said Chaplane to embrace any other Chaplanrie or
 ' Ecclesiastick Office; whilk if he doe, his Chaplanrie
 ' shall Vaik without any Declarator of any Judge, and
 ' it shall be leisme to the Patrons to confer the saman
 ' upon ane other. And if he be found incontinent of
 ' his Body, either be Luxury, Adultery, Incest,
 ' Drunkenness, Dissentions, or of any other notter or
 ' manifest Crimes, and found culpable by the Patrons,
 ' or most Pairt of them, before ane Notter and faith-
 ' full Witnesses, shall be three Times admonisht to
 ' desist frae them, and after ane full Year outrun, he be
 ' found incorrigible, it shall be conferr'd be the Pa-

' trons upon ane able Chaplane. And farder, the said
 ' Chaplain, every Year, once in the Year, for the
 ' said Michael and Jonet, sall make Suffrages, which
 ' is, "*I am pleased, and direct me, O LORD, with*
 ' *an Mess of Rest, being naked, he cloathed me:*"
 ' with two Wax Candles burning on the Altar. To
 ' the whilk Suffrages and Mess, he shall cause ring
 ' the Chappell Bell the space of ane Quarter of ane
 ' Hour, and that all the foresaid Poor, and others that
 ' shall be thereintill, shall be present at the foresaid
 ' Mess with their Habites, requesting all these that
 ' shall come in to hear the said Mess to pray for the
 ' said Souls. And farder, Every Day of the blessed
 ' Mary Magdallen, Patron of the foresaid Hospital,
 ' and the Day of the Indulgences of the said Hospital,
 ' and every other Day of the Year, the said Chaplane
 ' shall offer up all the Oblations, and for every Obla-
 ' tion shall have twa Wax Candles upon the Altar,
 ' and twa at the Foot of the Images of the Patron
 ' in twa Brazen Candlesticks, and twa Wax
 ' Torches on the Feast of the Nativity of our Sa-
 ' viour, Pasch, and Whitsunday, of the Days of Mary
 ' Magdallen, and of the Days of the Indulgences
 ' granted to the said Hospital, and doubling at other
 ' great Feasts, with twa Wax Candles attenerly.
 ' And likewayes, he sall preserve the Alter in the
 ' Ornaments thereof, and he sall preserve the Jewells
 ' and Ornaments of the said Alter clean and tight,
 ' and he sall be obliged and restricted to furnish
 ' Bread, Wine and Wax to the said Hospital, for the
 ' haill Year. As also, the said Chaplain shall be ob-
 ' liged, at his entry, before he be admitted to the said
 ' Hospital, to give his great Oath, by touching the sa-
 ' cred Evangile, That he shall neither, directly nor in-

‘ directly, by whatsoever Pretence or Collor, seek
‘ the Derogation of this Foundation, in haill or in
‘ Part, neither be himself, nor be any other Party;
‘ neither shall he have any Dispensation or Deroga-
‘ tion from any other the Time of his Admission;
‘ neither shall he be put into the said Chaplanry be
‘ any other, but shall only have his Admission from
‘ the saids Patrons, to the Effect, that if he derogate
‘ any Thing from the said Hospital, and shall not ful-
‘ fil the haill Articles and Clauses thereof, he shall be
‘ the same Patrons be removed, and another able Cha-
‘ plain put in his Place. And also, We will and de-
‘ clare, That the foresaid Seven poor Men, and like-
‘ wise any other of that Kind that shall be foundit or
‘ put thereintill be any others, that they shall give
‘ Obedience to the said Chaplain in all honest and lei-
‘ some Things, as their undoubted and lawful Master
‘ of the said Hospital; and that none be admitted
‘ amongst the said poor Brethren of the said Hospital,
‘ but such as are not married, and not stained with an
‘ Concubine, or with any other notorious Crime, and
‘ that none be admitted, except he be past, before his
‘ Admission, Threescore Years, except they be impo-
‘ tent and miserable Persons, who otherwise are not
‘ able to get their daily Bread. And that no Wo-
‘ man, howsoever miserable or impotent, be any ways
‘ received or admitted in the said Hospital; and that
‘ no Woman shall frequent this House of Hospital at
‘ no Time, and chiefly in the Night-time; and that
‘ one of the said seven poor Men, Weekly, in his own
‘ Turn, shall be Janitor, who shall open and steik the
‘ Gates thereof, and shall make clean the said Chapel
‘ and common House thereof every Day, and keep it
‘ honest from all Filth. And if it chance that the

' said Janitor be sick for the Time, that he cannot do
 ' it, then ane other of the said poor Brethren, in his
 ' Turn, most able and meet, by the Discretion of the
 ' said Chaplain, shall be appointed. And the said
 ' Janitor, every Day from Pasch to the Feast of St.
 ' Jude, from Half Six in the Morning, he shall open
 ' the Gates, and close them again at Aught Hours at
 ' Night; and the rest of the Year he shall open at
 ' Seven Hours in the Morning, and close them again
 ' at Seven at Night, and shall ring the Bell of the said
 ' Chapel for the space of a Quarter of an Hour, im-
 ' mediately after the Opening, and a little before the
 ' Closing: And that the said seven Poor, and every
 ' one of them, shall immediately, after ringing of the
 ' Bell, repeat the Lord's Prayer Five Times, and the
 ' Angelical Salutation Fifty Times, and the Belief of
 ' the Apostles once in the Day: and they shall repeat
 ' the twa Psalms that are called the blessed Virgin's,
 ' before the compleating of their Dinner, and Refection
 ' at Twelve Hours. And the Dinner being done, the
 ' foresaid haill Poor, within the said Hospital for the
 ' Time, shall convene before the great Altar, and
 ' there, with their bowed Knees, give Five *Pater Nos-*
 ' *ters*, Fifty *Ave Maria's*, and ane *Creed*, &c.

The Hospital was Founded by Michael M'Quhan,
 Anno 1503; but the Charter by the Relict, Anno
 1545.

This Chapel is adorned with the Arms of the Good
 Town of Edinburgh, being Argent, a Castle triple
 Tower'd Sable, marshalled of the first, surmounted
 with Thanes Gules, supported on the Dexter by a
 Virgin Lady, on the Sinister with a Deer, and Accolee:
 Behind the Shield the Sword of Honour, and Mace
 Ensigned with an Imperial Crown; Below in a Com-

partment, *NISI DOMINUS FRUSTRA*. Round this Achievement are the Armorial Ensigns of the following Incorporations, according to their Precedency.

In the first Oval

I. CHIRURGEONS^a.

Az. on a Fess *Ar.* a naked Man Fess-Ways proper, 'twixt a dexter Hand palmed, and in its Palm an Eye proper, issuing from the Chief. In the dexter Canton a Saltire *Ar.* under an Imperial Crown *Or*, or proper, surmounted of a Thistle proper, or Vert. and in Base a Castle *Ar.* masoned Sab. all within a Border *Or*, charged with the several Instruments suitable to the Society.

II. GOLD-SMITHS^b.

Quarterly *Guz.* and *Az.* on the 1. a Leopard's Head *Or*, 2d, a cover'd Cup, and in Chief 2 Annulets *Or*, 3 as 2, and 4 as 1.

^a The Incorporation of Surgeons was erected by a Seal of Cause, dated July 1. 1504, which was ratified by King James V. Oct. 13. 1506.

^b By the Seal of Cause incorporating the Hammermen, the Goldsmiths appear to have formed a branch of that community, but that they were originally a separate body, if such a trade existed at Edinburgh in 1457, may be inferred from Goldsmiths being then enjoined to elect a deacon or preses, for the purpose of inspecting their work, and ascertaining its standard fineness. (Ja. 2. Parl. 14. ch. 65.) The Charter of the Incorporation of Hammermen is dated in 1483, and Goldsmiths are again mentioned as one of the heads of that fraternity, in a subsequent Seal of Cause, dated in 1496. When they were separated is not

III. SKINNERS^d.

Parted per cheveron. Gu. and Arg. 3 Stags passant, mantled proper.

IV. FURRIERS^d.

Ermine, on a chief Gu. 3 Imperial Crowns Or.

V. HAMMER-MEN.

Az. a Hammer proper, ensign'd with an Imperial Crown.

VI. WRIGHTS^f.

Az. a Square and Compass Or.

known, but it must have been prior to 1581, as appears from regulations prescribed to them by a charter of this date from the Town Council, concerning the receiving of apprentices, and the working in gold and silver.

^d The period at which either the Skinsmen or Furriers were first incorporated is not known. They are now an united incorporation, and return two Deacons to the Town Council, who are chosen out of either Trade indifferently.

^e The Incorporation of Hammermen was erected by a Seal of Cause from the Town Council, dated May 2. 1483; it then comprehended Blacksmiths, Goldsmiths, Saddlers, Cutlers, and Armourers, each of which, in all probability, existed as separate bodies long before, although perhaps not incorporated, (*vid.* Goldsmiths). This company now comprehends Blacksmiths, Cutlers, Saddlers, Locksmiths, Armourers, Pewsters, Sheersmiths, Watch-makers, Gunsmiths, Hook-makers, Pin-makers, Belt-makers, Founders, Brasers, Coppersmiths, and White-ironsmiths.

^f The united companies of Wrights and Masons, commonly known by the name of the United Incorporation of Mary's Chapel, was so erected by a Seal of Cause from the Town Council,

VII. MASONS^f.

Az. on a *Cheveron* betwixt 3 *Towers* embattell'd Sab.
a *Compass* Or.

VIII. TAYLORS^g.

Az. *Scissors* expanded Or.

IX. BAXTERS^h.

Az. 3 *Garbs* Or. from the *Chief* waved, a *Hand* issuing, holding a pair of *Ballances* extending to the Base.

X. FLESHERSⁱ.

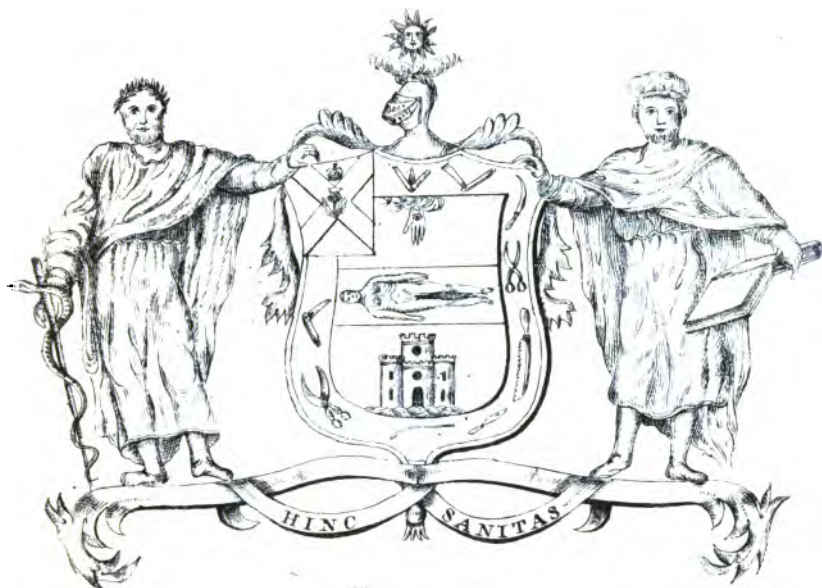
Ar. 3 *Slaughter Axes* proper Saltire-ways, accompanied with 3 *Cow's Heads* coup'd Sab. 2 in *Flank*, and

dated October 15. 1475; it sends a double representation to the Town Council, namely, one deacon for the Wrights, and another for the Masons. The community comprehends Wrights, Masons, Bowyers, Glasiers, Plumbers, Upholsterers, Painters, Slaters, Stevwrights, and Coopers.

^g The Tailors possess several charters from the Town Council, which have been ratified by the Scots kings; but the period at which they were first incorporated is not known.

^h The period at which the Baxters were first incorporated, is also unknown. A Seal of Cause from the Town Council, dated in 1522, sets forth, that by their negligence in times of public trouble, the original charter of incorporation was lost or amissing. This new charter informs us, that each incorporation had an altar in St Giles's Church, dedicated to their respective patrons, or tutelary saints, the priest who officiated at which, was provided with victuals, by going about from house to house amongst its members.

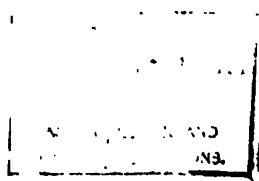
ⁱ The Fleshers are of very early origin. The period of their incorporation is not known, but it must have been prior to 1489, in which year regulations for supplying the markets with whole-



Surgeons.

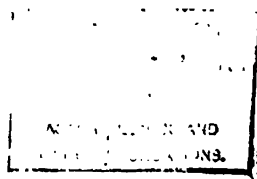


Goldsmith's.



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ASTOR, LENOX AND
TILDEN FOUNDATIONS.

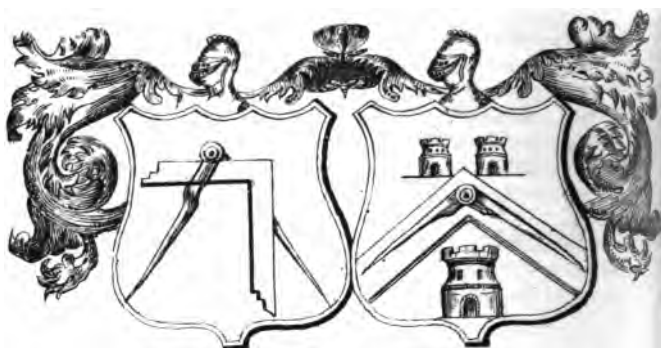


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Hammermen



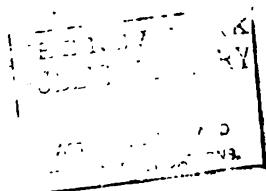
Wrights. & Masons.



Tailors.



Baxters



1945
1946



Fleshers.



Cordiners.

1 in *Base*, and on a Chief Az. a *Boar's Head* couped
'twixt 2 *Garbs* Or.

XI. CORDINERS^j.

Az. their *Cutting-knife* in Pale, and in Chief, a *Ducal Crown* Or.

XII. WEBSTERS^k.

Ar. on a *Chev.* Az. 'twixt 3 *Leopard's Heads* of the same, holding in their Mouths a *Spool* or *Shuttle* of Yarn Or, as many *Roses* Gu.

XIII. HATTERS and WAKERS^l.

Parted per Pale Gu, and Ar. on the 1st, a *Chev.* of the last, 'twixt 2 *Hat-string Bands* in Chief, and in

some provisions were prescribed to them by the Town Council, from which we learn that they then dealt in fish as well as flesh.

^j Maitland places the first institution of the Incorporation of Cordiners in 1449. No records of Council are now extant of such early date; but none of the corporation pretend to an earlier erection than 1475, and the charter to which Maitland alludes is now lost. This community possess various subsequent Seals of Cause, one of them ratified by King James VI.

^k The Incorporation of Websters was erected by a Seal of Cause from the Town Council in 1475. The petition praying for which, sets forth, that they had framed certain articles "for the honour and love of God, of his mother the Virgin, and of Saint Sovrane," and prays a ratification thereof. Among others, care is taken to enact "That the priest shall get his meat."

^l The Wankers, (originally Clothiers), appear to have been incorporated by a Seal of Cause from the Town Council, dated Aug. 20. 1600. The Hatters, who now form the chief of this community, were united to them in 1672.

Base a *Thistle* Or, on the 2d, a *sinister Hand* palmed proper, erected in Pale 'twixt 2 *Hqt-strings* Sab. and in Chief a *Hat* of the last.

XIV. BONNET-MAKERS and LITSTERS^m.

Ar. a Fess 'twixt 2 *Bonnets* Az. or proper, tufted Gu. impal'd with Or, a Chev. Gu. betwixt 3 *Cushions* Az.

And round the Hammer-Men's Arms, in a second Oval, the Ensigs of the following Arts.

XV. BLACK-SMITHS.

Az. a Chev. betwixt 3 *Hammers*, each ensigned with *Ducal Crowns* Or.

XVI. CUTLERS.

Gu. 6 *Daggers* plac'd Saltire-ways, 2 and 2, proper, handled Or.

XVII. SADDLERS.

Az. a Chev. betwixt 3 *Saddles* Or.

XVIII. LOCK-SMITHS.

Az. a *Key* impaled Or.

XIX. LORIMERS.

Az. a *Cheveron* betwixt 3 *Horse-Bridle Bits* Ar.

^m The charter from the Town Council, erecting the Bonnet-makers into an incorporation, is dated in 1530; but this branch of business having fallen into decay, from a change in fashions, the Dyers, who are now its chief, if not its only members, were united with them in 1640.



Websters.



Waulkers



Bonnet Makers.

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XX. ARMOURERS.

Arg. on a *Chev.* Gu. 4 *Swords* Saltire-ways, *proper*, handled Or, and on a *Chief* of the second, 2 *Helmets* of the same.

XXI. PEUTHERERS.

Az. on a *Chev.* Ar. betwixt 3 *Portcullices* Or, as many *Thistles vert*, and flowered Gules.

XXII. SHEAR-SMITHS.

Gu. *Wool-shears* impaled Az.

Placed above these Arms, are the imperial Arms of Scotland, thus blazoned, viz.

Or, a *Lion ramp.* Gu. arm'd and lingued Az. within a *double Tressure*, flower'd and counter-flower'd, with *Flower de Lisses* of the 2d, encircled with the Order of *Scotland*, the same being composed of Rue and Thistles, having the Image of St. *Andrew*, with his Cross on his Breast, above the Shield a *Helmet*, answerable to His Majesty's high Quality and Jurisdiction, with a *Mantle* Or, *doubled Ermine*, adorned with an Imperial Crown, beautified with *Crosses Pattee*, and *Flower de Lisses*, surmounted on the Top, for His Majesty's Crest, with a *Lion Sejeant*, full-faced, Gu. crown'd Or, holding in his dexter Paw a naked Sword proper; and in the sinister, a Scepter, both erected pale-ways, supported by two *Unicorns* Argent, crowned with *Imperial*, and gorged with open Crowns, to the last Chains affix'd, passing 'twixt their Fore-legs, and reflexed over their Backs Or, He on the Dexter imbracing and bearing up a Banner of Cloth of Gold, charg'd with the Royal Arms of *Scotland*; on the *Sinister*, another Banner Azure, charged with the St. *Andrew's* Cross Argent,

both standing on a Copartment placed underneath, from which Issues two Thistles, one towards each Side of the Escutcheon ; and for Motto in an *Escrol* above all, *In Defence* ; under the Table of the Compartment, *Nemo me impune lacesset.*

THE Hammermen's Seal, is the Effigies of St. Eloi in his Apostolical Vestments proper, standing in a Church Porch, a Porch adorn'd with five Pyramid Steeples engraven, each surmounted with a plain Cross, holding in his Dexter a Hammer Bar-ways, and in the Sinister a Key bend-ways. Round the Effigies, are these Words, *Sigillum commune Artis Tudiatorum.*

The above fundamental Charter, in Favours of the Magdalen Hospital, is swell'd with the Popish Doctrine of Merit, and gives us a true Representation of the Chicanry of Romish Priests, who, to fill their Coffers, and make their Kitchen smoak, set Heaven it self to Sale. The Avarice of Church-men, in these dark Times, as the learned Sir George M'kenzie in his printed Pleadings observes, was so extravagant, that the Legislature in Germany, Denmark, and other Countries, tax'd the Quotas of pious Donations, lest the People, decoy'd by their Priests to purchase Heaven, should have starv'd themselves upon Earth.

As the Hammer-Men have St. Eloi and St. Mary Magdalen for their Guardians ; so the Chirurgeons have St. Mungo, which appears by their Seal of Cause, a Copy of which follows.

‘ **T**ILL all and sundry whas Knowledge thir pre-
 ‘ sent Letters shall com, The Provost, Baillies,
 ‘ and Councill of the Burgh of Edinburgh, greeting in .
 ‘ GOD everlasting, Wit your Universitys, That the
 ‘ Day of the Date of these Presents, compeired before
 ‘ US sittaind in Judgment in the Tolbuith of the said

‘ Burgh, the Kirk Master^a, and Brether of the Sur-
 ‘ geons and Barbaris within the same, and presented
 ‘ to us their Bill and Supplication, desiring us, for the
 ‘ loving of God, Honour of our Sovereign Lord, and all
 ‘ his Leidges, and for worshipec and Policy of this
 ‘ Burgh, all for the guid Rule and Order to be had
 ‘ and made amongst the saids Crafts in Tyme to come,
 ‘ That we wauld grant, and consent to them the Pri-
 ‘ viledges, Ruls and Statuts contined in the said Bill
 ‘ and Supplication, qlk after follows.

‘ **T**O you my Lord Provost, Baillies, and worthy
 ‘ Council of this guid Toune, right humble
 ‘ means and shaws, Your dayly Servitors the Kirk
 ‘ Master and Brether of the Surgeons and Barbars
 ‘ within this Brughe, That where we believe it is weall
 ‘ knowne till all yor Wisdoms, how that we uphould
 ‘ an Altar situate within the Colledge Kirk of St.
 ‘ Giles, in the Honour of God and St. Mungo our Pa-
 ‘ trone, and has nae Importance to uphould the same,
 ‘ but our sober oukleye Penny and Upsets, qulks are
 ‘ small in Effect till sustance and uphould our said Al-
 ‘ tar in all necessary Things convenient thereto. And
 ‘ because we are, and ever wes of guid Mynd to do
 ‘ this guid Toune all the stede Pleasure and Service
 ‘ that we cane or may, baith in walking, warding, stent-
 ‘ ing, and bearing of all portable Charges within this
 ‘ Brugh at all Tyms, as other Nightbours and Crafts
 ‘ does within the same. We desire at your Lordships
 ‘ and Wisdoms, till give and grant till us, and our Suc-
 ‘ cessors, the Rules, Statuts, and Priviledges under-
 ‘ written, qhilk ar consonant to Reason, Honor to our

^a Deacon, or Chief Master of the Incorporation.

‘ Sovereign Lord, and all his Leidges Profit, and
 ‘ Love to this guid Town.

‘ *In the first*, That we might haue yearly Chosne
 ‘ amongst us, our Kirk Master and Over-man, to whom
 ‘ the haill Brethren of the Crafts forsaidis shall obey
 ‘ for that Year.

‘ *2do, Item*, That nae Maner of Person occupy nor
 ‘ use any Poynts of our saids Crafts of Surgery, or
 ‘ Barbar Craft, within this Brugh, but gif he be first
 ‘ frie Man and Burges of the samen, and that he be
 ‘ worthy and expert in all the Poynts belongand to the
 ‘ saids Crafts, dilligently and avisedly examined, and
 ‘ admitted by the Masters of the said Crafte, for the
 ‘ honorable Serving of our said Sovereign Lord, his
 ‘ Lieges, and Nightbours of this Burgh: And also,
 ‘ That every Man that is to be made frie Man among
 ‘ us, be examined and provit in thir Points following;
 ‘ That is to say, That

‘ He know Anatomia, Natur and Complexion of
 ‘ every Member of Humans Body; and lykwise, that
 ‘ he know all the Veins of the samen, that he may maik
 ‘ Phlebothomia in due Tyme, and also that. And also,
 ‘ That he know in quhilk Member the Sign hea Domi-
 ‘ nation for the Tyme; for ever ilk Man aught to know
 ‘ the Natur and Substance of every Thing he wirks,
 ‘ or els he’s negligent; and that we may haue anes in
 ‘ the Year ane Condempait Man after he be dead, to
 ‘ maik Anatamia of, wherthrow we may haue Expe-
 ‘ rience ilk ane to instruct others, and we shall do Suf-
 ‘ ferage for the Saul.

‘ *3tio*, And that nae Barbar, Master nor Servand
 ‘ within this Burgh, hant, use nor exerce the Craft of
 ‘ Surgery, without he be expert, and know perfectly
 ‘ the Things aboue written; and qhat Persons that shall

‘ happen to be admitted frie Men or Masters to the
 ‘ saids Crafts, or occupys any Part of the same, shall
 ‘ pay at his Entrie for his Upset, Five Pounds usual
 ‘ Money of Scotland, to the Reparation and uphalding
 ‘ of our said Altar of St. Mungo, for divyne Service to
 ‘ be done thereat, with a Dinner to the Masters of the
 ‘ saids Crafts, at his Admission and Entress amangst
 ‘ us; Exceptand, That every frie Man Master of the
 ‘ said Crafts, one of his lawful gottne Sons to be frie
 ‘ of any Money peying, except the Dinner to be made
 ‘ to the Masters, after he be examin’d and admitted by
 ‘ them, as said is.

‘ *4to, Item,* That nae Master of the said Crafts shall
 ‘ taik any Apprentice or fied Man in Tyme coming,
 ‘ till use the Surgeon Craft, without he can baith writt
 ‘ and reade.

‘ And the said Master of any of the saids Crafts that
 ‘ taiks any Printice shall pay at his Entrie to the Re-
 ‘ paration of the said Altar, 20 sh. and that nae Mas-
 ‘ ter of the saids Crafts, receipt or receive any other
 ‘ Masters Printice, or Servant, quhilst the Issue of his
 ‘ Tearms be runne, and wha that does in the Contrair
 ‘ thereof, as aften as he faills, shall pay 20 sh. to the
 ‘ Reparation of the said Altar, but Favours.

‘ *5to, Item,* Evry Master that is receiv’d frie Man
 ‘ to the saids Crafts, shall pay his oukly Penny with
 ‘ the Priests Myte, as he shall happen to come about,
 ‘ and every Servand that is a fied Man, to the Mas-
 ‘ ters of the saids Crafts, shall pay ilk Ouk ane half
 ‘ Penny to the said Altar, and Reparations thereof;
 ‘ and that we haue Power till choyse a Cheplaine till
 ‘ do Divyn Service dayly at our said Altar at all
 ‘ Tymes, when the same should Wawyik °, and till

° Be vacant.

‘ choyce an Officer till pass with us for the Engather-
 ‘ ing of our Quarter Payments, and oukly Pennys,
 ‘ and to pass before us on *Corpus Xi^p* Day, and the
 ‘ otteus¹ thereof, and all other general Processions
 ‘ and Gatherings, Siklyk as other Crafts hes within
 ‘ this Brugh, and that ane of the Masters of the fore-
 ‘ saids Crafts, with the Chaplain and Officer of the
 ‘ same, pass at all Tyms needful lift and raise the said
 ‘ Quarter Payments frae evry person that awe the
 ‘ same; and gif any disobeys, that we may poynd
 ‘ and distrenzie therefor, all Tyms having an Officer
 ‘ of the Town with us.

‘ 6to, *Item*, That nae Person nor frie Man of the
 ‘ saids Crafts, purchase any Lordships in contrair the
 ‘ Rules and Statutes above-written, in hendring or
 ‘ skaithing of the Crafts foresaid, or Common Weall
 ‘ thereof, under the Pain of Tinsel² of their Freedoms.

‘ 7mo, *Item*, That all the Masters, frie Men and
 ‘ Brether of the saids Crafts readily obey, and come to
 ‘ their Kirk Master, or Deacon, at all Tyms, quhen
 ‘ they shall be required thereto by the said Officer,
 ‘ for till hear Quarter Compts, or till avise for any
 ‘ Thing concerning the Common Weall of the saids
 ‘ Crafts: and wha that disobeys, shall pay 20 sh. to
 ‘ the Reparation of the said Altar; and that nae Per-
 ‘ sons, Man nor Woman within this Brugh, maik nor
 ‘ sell any Aquavitæ within the samen, except the said
 ‘ Masters, Brether, and frie Men of the said Crafts,
 ‘ under the Pain of Eacheat of the samen, but Favours.
 ‘ *Beseeking*

‘ Heirfor your Lordships and Wisdoms, at the Re-
 ‘ verence of God, that ye will avyze with thir our sim-

P Christi:

9 Octaves.

² Losing.

‘ ple Desyrs, Ruls, Statuts and Priviledges above-
 ‘ writtne, and grant us the same ratifyd and approven
 ‘ by yow, under yor comon Seall of Cause; and with
 ‘ the Grace, we shall do sik Service and Pleasur to
 ‘ the King’s Grace, and the Good, that ye shall be
 ‘ contentit thereof; and yor Deliverance heiruntill
 ‘ humbly I beseeck.

‘ **T**HE quhilk Bill of Supplication, with the Ruls,
 ‘ Statuts and Priviledges contind therintill,
 ‘ beand read before us in Judgment; and we there-
 ‘ with beand riplie and distinctly Advysed, thinks the
 ‘ same consonant to Reason, and nae Hurt to our-
 ‘ Sovereign Lord’s Hynes, us, nor nan other of His
 ‘ Leidges, therintill: And therefor we consent and
 ‘ grant the samen to the forsaid Crafts of Surgenary
 ‘ and Barbars, and to their Successors. And in suae
 ‘ far as we may, and hes Pouer, confirms, ratifys and
 ‘ approves the saids Statuts, Ruls, and Priviledges in
 ‘ all Poynts and Artikls contind in the said Suppli-
 ‘ cation above writtne. And this to all and sundry
 ‘ quhom it effeirs, or may effeir, we maik knowne by
 ‘ thir our Letters; and for the mair verification and
 ‘ Streanth of the samen, we haw too hungen our com-
 ‘ on Seall of Cause, at Edinburgh 1 July, the Zear of
 ‘ God 1505.’

The Seal of the Good Town is appended with this
 Inscription round it.

Sigillum Burgi de Edr. ad Causas.

The Crafts, who behav’d so loyally before they were
 incorporate, and form’d into Societies, continued to
 flourish in their Sovereign’s Favours, and were warm’d
 with Beams from the Throne; a signal instance of

their Fidelity to King James V. I cannot miss to relate. The Crown being Debitor to the Town of Edinburgh in vast Sums, for which she had not only the Security of the Government, but the Personal Obligations of the Monarch; wearied with Disappointments, and the Merchants murmuring for want of Payment from the Town, to whom they had given considerable Loans, for the Behoof of the Publick; the Magistrates, and Merchants in Concert, raised a Mob, and gave Directions to the Ring-leaders, what, and how far to act, to insult the King as he was passing the Streets to the Parliament House; who, after a Scuffle with his Guards, violently seiz'd upon his Sacred Majesty, and thrust him within the Walls of their common Goal: Some of His Majesty's Retinue having alarm'd the Deacons of Crafts with what had happen'd, the Trades instantly conven'd, and unanimously agreed, that their Ensign should be displayed, for convocating the Lieges, to rescue their captive Monarch; which was accordingly done, and soon procur'd him to be liberate, and safely convey'd to His Royal Palace of Holy Rood-House. The Magistrates, who had hounded out the Mob, dreading the Consequence of their trayterous Actings, and knowing the weak Side of Cuthbert the Deacon Conveener, who headed the Trades, brib'd him by a lusty Purse of Gold, to betray his Trust.

The King next Morning sent for Cuthbert, (whom he call'd his faithful General) and told him, He had a grateful Remembrance of the Loyalty and Valour of his faithful Subjects the Trades of Edinburgh, and was resolv'd to confer some remarkable token of Favour upon them.

Cuthbert, well instructed by the Magistracy and Merchant Council how to behave, *Answered,*

May it please your Excellent Majesty, We your obliged and devoted Servants the Trades of Edinburgh, did nothing but what was our bounden Duty: But since your Majesty is graciously pleas'd not only to remember but reward our dutiful Behaviour, I presume, in name of my Brethren to beseech your Sacred Majesty, to make your most faithful and loyal Servants the Trades of Edinburgh, in all Time coming free of that toilsome Affair of being Magistrates of the Burgh, and let the disloyal Merchants be henceforth loaded with the Office.

The King surpriz'd with the Supplication, gave a Smile, and said, Cuthbert, It shall be done.

The Man's Treachery was soon blown about, to the Amazement of the Incorporations, who found, that their Loyalty, which they justly expected would have advanced their Interest, as it did their Honour, had turn'd to their real Detriment: And therefore they applied to the Courtiers, to represent to His Majesty, how villainously they had been betray'd. As soon as the King was inform'd, he commanded the Crafts to lay their Demands before him, which they accordingly did in a short Memorial, craving His Majesty would be pleased to confirm all their ancient Privileges of the Blue Blanket. His Majesty graciously received their Petition; and not only granted their Request, corroborating all former Grants, and Privileges by immemorial Possession; but considerably enlarged its Authority, declaring, That whenever they display'd their Ensign of the Blue Blanket, either in Defence of the Crown, or Crafts, all Crafts-men in Scotland, and Souldiers in the King's Pay, who had been educate in a Trade, should repair to that Standard, and fight un-

der the Command of their General. Thus did that excellent Monarch reward Loyalty, and the treacherous Conveener was murder'd at the North Loch near a Well, yet known by the Name of Cuthbert's Well.

This was certainly the highest Honour the King could put upon the Crafts: For a Standard hath been esteemed so in all Ages. Hence the Scripture expresses the Strength and Power of the Church by a Standard, Cant. 6. 4. "Thou art beautiful, O my Love, "as Tirzah, comely as Jerusalem, terrible as an Army "with Banners," and the Love and Favour of God, Cant. 2. 4. "He brought me into the Banqueting-House, and his Banner over me was Love." Cant. v. 10. According to the Hebrew Text, "My Beloved "is the Standard-Bearer among Ten thousand;" which our Translators very defectively render, "The "Chief among Ten thousand." And the Antiquity and Honour of the Standard is more plainly express'd in the Book of Numbers ii. 2, &c. "Every Man of the "Tribe of Israel shall pitch by his own Standard, with "the Ensign of their Father's House, far off, about "the Tabernacle of the Congregation shall they pitch, "and on the East Side, toward the rising of the Sun "shall they of the Standard of the Camp of Judah "pitch throughout their Armies, and Naashon the Son "of Amminadab shall be Captain of the Children of "Judah. On the West Side shall be the Standard of "the Camp of Ephraim according to their Armies, "and the Captain of the Sons of Ephraim shall be "Elishama the Son of Ammihud. The Standard of "the Camp of Dan shall be on the North Side, by "their Armies," &c.

As the Almighty has compar'd the Power of his Church to, and honoured his Saints with a Standard;

so hath it been the Custom in all Ages of the World, for generous Princes, in rewarding Valour and Noble Atchievements, to confer a Standard, as Guillim in his Display of Herauldry observes, Hungus King of Picts gave to his Warriors, an Ensign, bearing the Figure of a Cross, in the Fashion of a Saltire. Philip King of France (or as Favin would have it) Baldwin the First, King of Jerusalem, gave to his Followers an Ensign, with two red Crosses united unto one; and to the Christian Merchants of Naples, who fought against the Saracens for the Christian Religion, whom he made Knights of Rhodes, now of Malta, a white Cross, to be worn on their left Shoulder. Reme Duke of Anjou, King of Jerusalem and Sicily, gave to his Warriors an Ensign of Crimson Velvet, with a Golden Crescent, and enamell'd red, because they had been long dy'd in Blood. Arthur King of the Britains (as Segur remarks) Founder of the Order of the round Table, institute the Fraternity of the Knights of the Table, in token of brotherly Love, gave them a round Table, which yet hangs in their Castle: And to give no more Instances, Sir John Smith got from King Charles I. the Royal Standard which he carried off at the Battle of Edgehill, and was knighted under it.

Since Kings in all Ages have bestowed the Ensign upon well deserving Persons, we need not wonder that the Kings of Scotland, to whose Blood Generosity is congenial, bestowed this Standard of the Blue Blanket upon Tradesmen, who rendered themselves noble by their Actions. As Diogenes says, Nobleness of Blood is a Cloak of Sloath, and a Vizard of Cowardice, but immortal is their Fame upon whom Princes confer Honours, according to their Deserts, for defending

the Holy Church, King or Country. And what Reason can be assign'd, why Tradesmen should not be advanc'd as well as others, since the greatest Princes on Earth have been Artists. Henry Peacham tells, That Solyman the Magnificent, his Trade was making of Arrows. In Venice, every Artificer is a Magnifico. In the low Countries, Mechanicks are declared Gentlemen, by a Grant from King Charles V. in Consideration of their Services, during his Wars. And to all those who contemn Mechanicks, who raise themselves by their Valour, I must give the memorable Answer of Verduge a Spaniard, and a General in Friesland, to some Persons of Quality, who resented his taking the Head of the Table at a publick Entertainment. Gentlemen, question not my Birth, (tho' I be the Son of a Hangman) for I am the Son of my own Desert and Fortune. If any Man do as much as I have done, let him take the Table Head with all my Heart.

Thus far have I trac'd the Loyalty of the Crafts of Edinburgh, and shall now proceed to the Reign of

MARY QUEEN OF SCOTS,

During whose Minority, a Controversy being betwixt the Magistrates of Edinburgh and the Deacons of Crafts, for breaking in upon the Legal Privileges of the Incorporations; which so inflam'd the Deacons of the Trades with a keen Resentment, that in the Tolbooth of Edinburgh, where the Courts of Justice then sat, they drew their Swords, demanding Justice; and if they had not been restrained by the King's Forces then in the City, whom the Magistrates call'd to their Assistance, they had been kill'd on the Bench.

Being thus reliev'd, they committed the Assassines, as they termed them, Prisoners to the Castle of Edinburgh, where they remain'd in close Confinement, till the several Incorporations having met in the Absence of their Deacons, and concluded to relieve them, after the never failing Method of displaying the Blue Blanket, which they did, and thereby convoked Thousands of the King's Lieges in a very few Hours.

The extraordinary Concourse of People alarm'd the Government so, that the King's Privy Council met upon the extraordinary Emergent, and resolved, That the Earl of Arran should interpose his Royal Authority, and stop Procedure of the Lords of Justiciary, before whom was a Criminal Process intended at the Instance of the saids Magistrates of Edinburgh, against the Deacons of Crafts, and to importune the Differences betwixt them to be submitted to him. The wise Regent comply'd with the Advice, and publish'd the following Edict.

GUBERNATOR,

‘ Justice and Justice-Clerk, and your Deputis, We
 ‘ greit zow weille, FORSAEMEIKLLEAS,
 ‘ William Smebert, Robert Hutchiesoune, James For-
 ‘ res, Thomas Schort, Archibald Dewar, Andro Ed-
 ‘ gar, George Richardsone, Thomas Ramsay, James
 ‘ Downwieke, William Purdie, William Quhite,

‘ being in Warde within the Castle of Edin-
 ‘ burgh, for alleadged drawing of Quhinzearis in the
 ‘ Tolbuith of Edinburgh, in Presence of the Provost
 ‘ and Baillies thairof, the xi. Day of August instant,
 ‘ and furth-bringing in the Blew Banner of the Blew

‘ Blankett in our Presence, callit, the *Hally Guist*, has
 ‘ fundin Suretie to underlye the Law for the samyne,
 ‘ and for all otheris Crymes that can be impute to them
 ‘ the x. Day of October nixt to cum, as the Act of
 ‘ Adjournal maid thairupon beirs : Howbeit, as we
 ‘ are informit, the saidis Personis are innocent of
 ‘ the saidis alleagit Crimis. **OUR WILL IS HERE-**
 ‘ **FORE**, and for certain uthiris reasonable Causes and
 ‘ Considerationis moveing us, We charge zow strictly
 ‘ and commandis, That incontinent, efter the sicht here-
 ‘ of, ze desist and seiss frae all Preceeding against the
 ‘ saids Persons, or ony othiris Craftismen of the said
 ‘ Burgh, for the saidis allegett Crymes, till the Day
 ‘ above-written ; or for ony othiris Actionis, Trans-
 ‘ gressionis, Crymis, or Offenceess quhatsomever, com-
 ‘ itit or done be thame, or ony of thame, in ony Time
 ‘ bygane unto the Day of the Date hereof ; but con-
 ‘ tinowe the samyn to the third Day of the Air. Dis-
 ‘ chargeing zow othirwayes theirow, and of zour Offices
 ‘ in that Parte in the mene Tyme be thir Presentis,
 ‘ Notwithstanding ony Writtingis gevin, or to be
 ‘ givene in the contraire, or ony Pains contenit there-
 ‘ in, as ze will answer to us theirupon. Subscrivit with
 ‘ our Hand, and geven under our Signet at Halyrude-
 ‘ house, the first Day of September, the Zeir of GOD
 ‘ One thousand five hundred and forty three Zeirs.

‘ JAMIS G.’

Thus, the Crafts defended the Rights and Liberties
 of the Blanket to the exposing of their Lives ; for they
 could not bruik the unjust Proceedings of the Magi-
 strates, and therefore determined to keep them intire,
 which they had obtained by an infinite Multitude of
 great Actions.

I must here take Occasion to remove a common Objection against the Authority of the Blue Blanket, That it never had any legal privileges: For, had not the Regent known, that the Crafts were warranted to display their Colours when the Privileges of their Incorporations were violate, he would surely have done Justice to the Magistrates, in punishing these Crafts as a seditious Rabble, and with the Power of the Queen's Forces, reduced them to Obedience, especially the Deacons, by whose Authority the Lieges were convocate, who were Prisoners within the King's Garrison: But it is remarkable, tho' the Banner was displayed in his own Presence, as his Edict relates, he did not punish them for a Trespass against Law, but was forc'd to have a Recourse to Policy, to stop the Effusion of Christian Blood, by interpellling the Judges of Justiciary from proceeding against them for their Riot, in assaulting the Magistracy in their Court of Justice with Weapons; for doing of which they were certainly culpable, and therefore he obliged them to find Baill as to that. We must undoubtedly conclude, they justified their Actings in displaying the Blanket, otherwise there had certainly been a Law enacted prohibiting them from that Practice for the Future, under the Pain of High Treason.

Tho' the Crafts and other Citizens of Edinburgh made a bold Stand for the Glorious Reformation, (which was carried on in the Reign of this beautiful, learn'd, but unfortunate Lady, Queen Mary, who tenaciously adhere'd to the Interest of the Romish Church) in a more tumultuary way than in England, and other Reformed Countries: Yet had they a just Sense of their Obedience to Cæsar, and acted under the Influence of

that Christian Maxim^a, ' That it is the Duty of the
 ' people to pray for Magistrates, to honour their Per-
 ' sons, pay them Tribute, obey their lawful Commands,
 ' to be subject to their Authority for Conscience sake;
 ' and that Infidelity and Difference in Religion doth
 ' not make void the Magistrates just and legal Right,
 ' nor free the People from due Obedience to them.'
 So that their Actions, during this Reign, when tur-
 bulent Factions were bandying one another, show'd
 a venerable Decorum. And the Queen was sensible
 of their Loyalty, as is evident from the Preamble of a
 Charter granted by her, and Henry her Husband, un-
 der her Great-Seal, to the Provost, Council, and Com-
 munities of the said Burgh, and their Successors, ' Of
 ' all and hail the Superiority of the Village of Leith,
 ' with the Pertinents and Superiority of the Inhabi-
 ' tants and Indwellers of the samen, as of the Houses,
 ' Tenements, Annualrents, Links, Orchards, Profits,
 ' Duties, Services, Tenants, Tenandries, Services of
 ' Free-Tenants, &c.' As is at more Length exprest
 in the said Infestment, dated the 4th Day of October
 1565, and the 1st and 23d Years of their Reign.
 Which Superiority of Leith, the Magistrates of Edin-
 burgh, by a Letter of Reversion, dispo'n'd back to the
 said Queen Mary, under Reversion of 10000 Merks
 usual Money of Scotland. This Superiority of Leith
 was thereafter, by her Son and Successor King James
 VI. assigned to his beloved Counsellor Sir John Mait-
 land of Thirleston, his Chancellor and Secretary, his
 Heirs and Assignies, dated the 7th of July 1587, rati-
 fied and approven by the States of Parliament the 29th
 Day of the Month and Year foresaid; which Re-

^a Westminster Confession of Faith, Chap. 23. Sect. 4.

version, is renounc'd by John Lord Thirleston, Son and Heir to the said Sir John Maitland, with Advice and Consent of Sir John Cockburn of Clairingtoun his Tutor-Testamentor, in Favours of the Provost, Bailies, Council, Deacons of Crafts, and Community of the said Burgh of Edinburgh, as is at length contain'd in the saids Letters of Renunciation of the Date the 28th of December 1607, and ratified by the said John Lord Thirleston, to the saids Provost, Bailies, Council, Deacons of Crafts, and Community of the said Burgh, the 24th of November 1614.

The loyal Crafts of Edinburgh gave surprising Evidences of their Loyalty to their King, and Gratitude for the Privileges of the Blue Blanket, during the long and peaceful Reign of the first Protestant King of Scotland, (who with Learning and Eloquence defended the Reformation against Cardinal Robert Bellarmine, one of the stoutest Pillars of the Romish Hierarchy, and show'd how well he merited the Royal Title, Defender of the Faith).

But before I proceed to this Reign, I must relate two remarkable Passages relating to the Crafts, which I had almost omitted.

When Faction and Tumult possessed an absolute and unlimited Sway, during this Queen's Reign, the Loyalty of the Crafts was not at all diminish'd: For when the Queen had Recourse to Arms, to oppose the Earl of Murray and his Associates, who, under Pretence of bringing the Earl of Bothwel, her husband, to a fair Trial, as accessory to the late King Henry's Murder, had, Anno 1567, raised an Army against her, and made her Prisoner at Carberry Hill; she was brought to Edinburgh, where, in stead of allowing her the Use of her Palace, she was shut up in the Provost's

House. As she enter'd the City, cover'd with Tears and Dust, and in a Garb far below her Birth and Merit, and insulted by the Mob, who cried, "Burn the Whore, Burn the Parricide!" This she bore with Fortitude of Mind, becoming a Christian and a Queen; but next Morning, when she open'd the Windows, and beheld not only strong Guards plac'd before the Entry to the House, but a Banner display'd on the Street, on which was painted her dead Husband, King Henry, beneath the shade of a Tree, with the young Prince by his side, and the Motto, "Judge and revenge my Cause, O LORD," she burst into Tears, and complain'd against the Affronts she received, begging the People to compassionate her, now become a Captive. The honest Crafts, join'd with other loyal Citizens, pierc'd with Pity to see their Sovereign thus us'd, and their Ensign display'd, where the Ensign of the Blue Blanket us'd to be erected in the Cause of Loyalty, crowded to the Place, and compell'd the Conspirators to restore her to the Palace of Holy Rood-house.

I must indeed, as a faithful Historiographer, relate, that Anno 1571, when the Associators against the Queen held a Parliament in the Canongate, the City of Edinburgh being possess'd by the Loyalists Troops, the Crafts, who believ'd their Religion to be in eminent danger, display'd the Blue Blanket, (which, in ancient Times, they were in Use to do, for Defence of Religion) at the Town of Leith, as Mr Crawford, Historiographer to Queen Anne, relates it in his Memoirs of the Affairs of Scotland, during the Reign of Queen

[†] Crawford's Memoirs, p. 38. and Melvill's Memoirs, p. 84.

Mary, P. 210. ‘ The Citizens, who either lik’d not
 ‘ the Queen, or the new Magistrates, went off in an
 ‘ intire Body to Leith, and set up their own Standard,
 ‘ upon which was written in Golden Letters, “ For
 ‘ GOD and the King,” and vanquished the Loyalists.’

I now proceed to the Reign of King JAMES VI. of
 Scotland, and I. of England.

The City of Edinburgh gave the highest Testimo-
 nies of their Love and Loyalty to their Infant Sove-
 reign that they were capable of, and oppos’d the Earl
 of Morton, Regent, who rul’d the Roast, and over-
 aw’d the young King’s Inclinations to Mercy. Mor-
 ton, to gain the Affections of the Citizens of Edin-
 burgh, Anno 1579, caus’d summon a Parliament to
 meet at Edinburgh, and the King to leave Stirling,
 where formerly Parliaments were held. When his
 Majesty, upon his Journey to the Capital City, came
 near the West-Port, he alighted from his Horse, and
 a stately Canopy of Purple coloured Velvet being held
 over his Head, he received the Magistrates of the City,
 who came Bare-headed all the Way without the Gate;
 within the Gate stood Solomon, with a numerous Train
 in Jewish Habits, with the two Women contending
 for the Child, as is recorded, 1 Kings iii.

As his Majesty ascended the West Bow, there hung
 down from the Arch of the old Port, a large Globe of
 polish’d Brass, out of which a little Boy, cloathed like
 a Cupid, descended in a Machine, and presented him
 with the Keys of the City, all made of massy Silver,
 and very artificially wrought, an excellent Consort of
 Musick all the while accompanying the Action.

When he came down the High Street as far as the

Tolbooth, Peace, Plenty, and Justice, met him, and Harangu'd him in the Greek, Latin, and Scottish Languages. Opposite to the Great Church stood Religion, who address'd him in the Hebrew Tongue: Upon which he was pleas'd to enter the Church, where Mr Lawson, a Presbyterian Divine, made a Learn'd Discourse in behalf of these of the Reformed Religion.

When his Majesty came out, Bacchus sat mounted on a gilded Hogshhead at the Market-Cross, distributing Wine in large Bumpers, the Trumpets all the while sounding, and the People crying, "GOD save the King." At the East Gate was erected his Majesty's Nativity, and above that the Genealogies of all the Scots Kings from Fergus I. All the Windows were hung with Pictures and rich Tapestry, the Streets strowed with Flowers, and the Cannon firing from the Castle, till his Majesty reached his Palace.

Notwithstanding all this Pomp and Ceremony, which exprest the Love and Reverence both clergy and Laity bore to his sacred Majesty, there was a sudden Change of Affairs. For,

Presbyterian Government being establish'd in the Church of Scotland, Anno 1592^u, which, 'tis probable, the wise King would not have altered, had not the English Clergy influenced him to admit Thoughts of restoring Episcopacy, which the Scots Clergy perceiving, strove to oppose his Purpose, and strengthen their own Interest. New Debates arising grew to that Height, that in the Year 1596, some Noblemen, Barons, and Ministers, being assembled at Edinburgh, and perceiving that the Process laid against Mr Da-

^u Bishop Guthry's Memoirs.

vid Black, who was prosecute before the Privy Council for seditious Sermons, as stirring the People up to Rebellion, wrong'd the Privileges of their Ecclesiastick Discipline, and withal, being displeased at the Clemency shown to the Popish Lords, plotted Resentment.

The King having dissolv'd the Commission of the General Assembly by his Royal Proclamation^x, declaring it an unlawful convocation. The Commission resolv'd, " That since they were conven'd by " CHRIST'S Warrant to see into the Good of the " Church, *Et ne quid Ecclesia detrimenti caperet*, they " should continue." And sent some of their Number to the Octavians, (that was the Title commonly given to the Eight Counsellors that were trusted with the King's Affairs), to advertise them of the Church's Troubles, proceeding from their Counsels, and thereafter petition'd the King himself, which was rejected, and a Protestation enter'd against the Refusal; but some Noblemen, with Mr Robert Bruce, having procur'd Access to his Majesty, Mr Robert said, " They " were sent by the Noblemen and Barons to bemoan " the Dangers threatened to Religion, by the King's " Dealings against the true Professors." " What " Dangers do you discover?" said the King. " Undercomoning," said the other, " our best affected " People, that tender Religion, are discharg'd the " Town." The King ask'd, " Who they were that " durst convene against his Proclamation?" The Lord Lindsay reply'd, " They durst do more than so, " and that they would not suffer Religion to be overthrown." Numbers of People were, by this Time,

^x Spotiswood's Church History.

thronging unmannerly into the Room ; whereupon the King, not making any answer, arose, and went where the Judges sate, commanding the Doors to be shut. They that were sent to the King, returning to the Church, told, " That they were not heard ; and that " therefore they were to think of some other Course." " No Course," said the Lord Lindsay, " but let us " stay together who are here, to stand fast to one another, and advertise our Friends and Favourers of " Religion to come in to us ; for it shall be either " theirs or ours." In Consequence of this Concert, they pitched upon the Lord Claud Hamilton to be their Head, and dispatch'd a Letter to him by Mr Robert Bruce, and Mr Walter Balcanqual, to come with Diligence and accept the Charge. But the Fury of the Multitude who attended that Meeting, heated by the Lord Lindsay's unhappy Expression, did not suffer them to wait upon the General's coming, but presently they leapt to Arms. Some cry'd, " Bring out " Haman ; others cry'd, " The Sword of the LORD " and of Gideon, the Day shall be theirs or ours." And so great was the Zeal of the unwary Populace, that taking their March, they went straight towards the Tolbooth of Edinburgh, where the King and his Council were sitting, and would have forc'd open the Doors, which, upon the Noise of the Tumult, were shut, had not his Majesty's Standard-Bearer, John Wat, Deacon-Conveener of the Trades, drawn up his Lads, the Souldiers of the Blue Blanket, and kept the Rabble back till their Fever cool'd, and the Earl of Mar, from the Castle, sent a Company of Musqueteers to guard the King, which his Lieutenant quickly brought down the Castle-Bank to the Grass-Market, and from thence march'd to the Foot of Forrester's-

Wynd, and entering by the Back-Stairs, came where the King was; then the King commanded to open the Doors, and advanc'd to the Street. Upon Notice whereof, Sir Alexander Home of North-berwick Provost of Edinburgh, with the Crafts, convoy'd the King to his Royal Palace at Holy Rood-House; from whence, next Morning, he went to Linlithgow, where he swore, 'Had it not been for the Loyalty of the Crafts, he would have burnt the Town of Edinburgh, and salted it with Salt.'

By the stedfast Adherence of the Crafts to their Sovereign, even when they did not approve of, but were sorry for his Actings, our Capital City was preserv'd from Destruction, as by their Behaviour afterwards, it flourished in his Favours.

On the last of that Month of December, the King came to Leith, and staid there all Night, giving Orders for his Entry into the Town of Edinburgh next Morning, which he did, and call'd for the Magistrates, to hear what they had to say for the late Tumult; which indeed was not owing to them, but to the *Hocus* of the Clergy and seditious Nobles, who practised upon the well-meaning People, making them believe, they were fighting the Battles of the LORD: So true is the Maxim,

Fallere Plebem finge Deum.

Sir Alexander Home Provost, Rodger M'Math, George Todrick, Patrick Cochran, and Alexander Hunter Baillies, with a Number of the Town Council, falling down on their Knees before the King, presented the following Offers.

'That for pacifying His Majesty's Wrath, and satis-

‘ fying the Lords of Council, they should, upon their
 ‘ Oath, purge themselves of all Knowledge, or par-
 ‘ taking in the said Tumult; and as they had already
 ‘ made a diligent Search to find out the Authors; so
 ‘ they should not cease, until they had brought the
 ‘ Trial to the utmost Point: Or, if his Majesty and
 ‘ Council should think fit to take the Examination,
 ‘ they should willingly resign their Places to such as
 ‘ his Highness would appoint, and assist him accord-
 ‘ ing to their Power: And, because his Majesty had
 ‘ taken that Tumult to proceed from certain Sermons
 ‘ preach’d by their Ministers, they should be expell’d
 ‘ the City, never to return, without his Majesty’s
 ‘ Warrant.’ Upon which, the King was reconciled to
 them.

Thus the Crafts behav’d as loyally at this Juncture,
 as they did during the Troubles occasioned by the
 Earl of Bothwel, when the King was assaulted in his
 Palace of Holy-Rood-House, which obliged him to
 cry aloud from the Windows, *Treason, Treason.*

The Report of the Accident going to the City of
 Edinburgh, the Citizens went to Arms, and made to-
 wards the Palace to give the King Relief, who show’d
 himself from a Window to the People, gave them
 Thanks for their Readiness, and desir’d them to return
 to their Dwellings. As the Citizens gave repeated In-
 stances of their Valour and Loyalty to the King,
 while he resided amongst us, so after his Accession to
 the Throne of England, and when he return’d to his
 Native Country Scotland, and made his Entry into
 Edinburgh, 16. of May 1617, Joy appear’d in every
 one of their Countenances: they were ready to cry
 out in the Words of Ben-Johnston’s *Magnetick Lady,*

“ Now let our longing Eyes enjoy their Feast,
 And Fill of thee, our fair shap'd God-like Man.
 Thou art a Banquet unto all our Senses ;
 Thy Form doth feast our Eyes; thy Voice our Ears,
 As if we felt it ductile thro' our Blood.”

This passionate Love is gracefully exprest by the famous Poet and Orator, William Drummond of Hawthornden, in his Speech to the King, in Name of the Town of Edinburgh.

‘ **SIR**, if Nature could suffer Rocks to move, and
 ‘ abandon their natural Places, this Town, founded
 ‘ on the Strength of Rocks, (now by the clearing Rays
 ‘ of your Majesty's Presence, taking not only Motion
 ‘ but Life) had, with her Castle, Temples, and Houses,
 ‘ mov'd towards You, and beseech'd You to have ac-
 ‘ knowledg'd her Your's, and her Indwellers Your
 ‘ most humble and affectionate Subjects; and to be-
 ‘ lieve, how many Souls are within her Circuits, so
 ‘ many Lives are devoted to Your sacred Person and
 ‘ Crown. And here, **SIR**, she offers, by me, to the
 ‘ Altar of Your Glory, whole Hecatombs of most
 ‘ hearty Desires, praying all Things may prove pros-
 ‘ perous to You, That every Virtue and heroick Grace
 ‘ which make a Prince eminent, may with a long and
 ‘ blessed Government, attend You; Your Kingdoms
 ‘ flourishing abroad with Bays, at home with Olives.
 ‘ Presenting You, **SIR**, who art the strong Key of
 ‘ this little World of Britain, with these Keys, which
 ‘ cast up the Gates of her Affection, and design You
 ‘ Power to open all the Springs of the Hearts of
 ‘ those her most loyal Citizens: Yet this almost were
 ‘ not necessary: For as the Rose, at the fair Ap-
 ‘ proach of the Morning Sun, displays and spreads her

‘ Purples ; so, at the very Noise of Your happy Return to this Your Native Country, their Hearts, if they could have shin’d through their Breasts, were, with Joy and fair Hopes, made spacious, nor did they ever, in all Parts, feel a more comfortable Heat, than the Glory of Your Presence at this Time darts upon them.

‘ The Old forget their Age, and look fresh and young, at the Appearance of so gracious a Prince ; the Young bear a Part in Your Welcome, desiring many Years of Life, that they may serve You long. All have more Joys than Tongues : For as the Words of other Nations far go beyond, and surpass the Affections of their Hearts ; so, in this Nation, the Affection of their Hearts is far above all they can express by Words. Deign then, SIR, from the highest of Majesty, to look down on their Lowness, and embrace it, accept the Homage of their humble Minds, accept their grateful Zeal ; and for Deeds, accept their great good Will, which they have ever carried to the high Deserts of Your Ancestors, and shall ever to your own, and Your Royal Race, whilst these Rocks shall be overshadowed with Buildings, Buildings inhabited by Men ; and while Men may be indued either with Counsel or Courage, or enjoy any Piece of Reason, Sense, or Life.’

This Speech was followed by another delivered at the West Port of Edinburgh, when His Majesty entered, by Mr John Hay, Town-Clerk Depute.

‘ **H**OW joyful your Majesties Return (gracious and dread Sovereign) is to this your native Town, from that Kingdom, due to your Sacred Per-

' son, by Royal Descent, the Countenances and Eyes
 ' of your Majesties Loyal Subjects speak for their
 ' Hearts. This is that happy Day of our new Birth,
 ' ever to be retain'd in fresh Memory, with Considera-
 ' tion of the Goodness of Almighty GOD considered,
 ' with the Acknowledgment of the same, acknowledg-
 ' ed with Admiration, admir'd with Love, and lov'd
 ' with Joy; wherein our Eyes behold the greatest hu-
 ' mane Felicity our Hearts could wish, which is to
 ' feed upon the Royal Countenance of our true Phoenix,
 ' the bright Star of our Northern Firmament, the Or-
 ' nament of our Age, wherein we are refresh'd and re-
 ' viv'd with the Heat, and bright Beams of our Sun,
 ' (the powerful Adamant of our Wealth) by whose re-
 ' moving from our Hemisphere, we were darkned,
 ' deep Sorrow and Fear possessing our Hearts, (with-
 ' out envying of your Majesty's Happiness and Feli-
 ' city) our Places of Solace ever giving a new Heat to
 ' the Fever of the languishing Remembrance of our
 ' Happiness; the very Hills and Groves, accustomed
 ' of before to be refresh'd with the Dew of your Ma-
 ' jesties Presence, not putting on their wonted Ap-
 ' parel, but with pale Looks representing their Miserie
 ' for the Departure of their Royal King.

' I most humbly beg Pardon of your most sacred
 ' Majesty, who, most unworthy, and ungarnish'd by
 ' Art or Nature with Rhetorical Colours, have pre-
 ' sum'd to deliver your Sacred Majesty, form'd by
 ' Nature, and fram'd by Art and Education to the
 ' Perfection of all Eloquence, the publick Message of
 ' your Majesties loyal Subjects here conven'd, on the
 ' Knees of my Heart, beseeching your Sacred Majesty,
 ' that my Obedience to myne Superior's Commands,
 ' may be a Sacrifice acceptable to expiate my Pre-

‘ sumption, your Majesties wonted Clemency may
‘ give Strength and Vigour to my distrustful Spirits,
‘ in gracious Acceptance of that which shall be de-
‘ livered, and pardon my Escapes. Receive then,
‘ dread Sovereign, from your Majesties faithful and
‘ loyal Subjects the Magistrates and Citizens of your
‘ Highness’s Good Town of Edinburgh, such Wel-
‘ come as is due from these, who, with thankful Hearts,
‘ do acknowledge the Infinite Blessings plenteously
‘ flowing to them from the Paradise of your Majesty’s
‘ unspotted Goodness and Virtue, wishing your Ma-
‘ jesties Eyes might pierce into their very Hearts, to
‘ behold the excessive Joy inwardly conceiv’d of the
‘ first Messenger. Your Majesties Princely Resolu-
‘ tion to visit your Majesties Good Town, increas’d
‘ by your Majesties Countenance, in prosecuting what
‘ was so happily intended, and now accomplished by
‘ your Majesties fortunate and safe Return, which no
‘ Tongue, how liberal soever, is capable to express.
‘ Who shall consider with an impartial Eye, the con-
‘ tinual Carefulness your Majesty had over us from
‘ your tender Years, the settled Temper of your Ma-
‘ jesties Government, wherein the nicest Eye could
‘ find no Spot; yourself, as the Life of the Country,
‘ the Father of the People, instructing not so much
‘ by Precept, as Example; your Majesty’s Court the
‘ Marriage Place of Wisdom and Godliness, without
‘ Impiety, cannot refuse to avouch: But as your Pru-
‘ dence has won the Prize from all Kings and Em-
‘ perors, that stand in the Degree of Comparison; so
‘ hath your Majesty’s Government been such, that
‘ every Man’s Eye may be a Messenger to his Mind,
‘ that your Majesty stands the Quintessence of ruling
‘ Skill of all prosperous and peaceable Government,

‘ much wisht by our Forefathers, but most abundantly
‘ enjoy’d by us, praised be GOD, under your sacred
‘ Majestie. For if we shall, in a View, lay before us
‘ the Times bypast, even since the first Foundation of
‘ the Kingdom, and therein consider your Majesties
‘ most noble Progenitors, they were indeed all Princes
‘ renown’d for their Virtues, not inferior to any Kings
‘ or Emperors of their Time, they maintain’d and de-
‘ liver’d their Virgine Scepters unconquer’d, from Age
‘ to Age, from the Foundation of the most violent
‘ Floods of conquering Swords, which overwhelm’d
‘ the rest of the whole Earth, and carry’d the Crowns
‘ of all other Kings of this Terrestrial Ball unto
‘ Thralldom; but far short of your Majesties Nature,
‘ having plac’d in your Sacred Person alone, what in
‘ every one of them was excellent, the Senate-House
‘ of the Planets being, as it were, conven’d at your
‘ Majesties Birth, for decreeing of all Perfections in
‘ your Royal Person, the Heavens and Earth witness-
‘ ing your Heroical Frame, no Influence whatsoever
‘ being able to bring the same to a higher Degree.
‘ If we shall bring to Mind the tumultuous Days of
‘ your Majesties more tender Years, and therein your
‘ Majesties Prudence, Wisdom and Constancy, in uni-
‘ ting the disjointed Members of the Common Wealth,
‘ who will not, with the Queen of Sheba, confess he
‘ has seen more Wisdom in your Royal Person, than
‘ Report hath brought to foreign Ears; and there is
‘ not of any Estate or Age within this Kingdom, who
‘ has not had particular Experience of the same, and
‘ sensibly felt the Fruits thereof; the Fire of civil
‘ Discord, which, as a Flame, devoured us, was there-
‘ by quench’d, every Man possess’d his own in Peace,
‘ reaping that which he had sown, and enjoying the

‘ Fruits of his own Labours, your Majesties great Vigilance and Godly Zeal in propagating the Gospel, and defacing the Monuments of Idolatry, banishing that Roman Antichristian Hierarchy, and establishing our Church, repairing the Ruins thereof, protecting us from foreign Invasion, the rich Trophies of your Majesties Victories more powerfully achieved by your Sacred Wisdom, deserves more worthily than those of the Cæsars, so much extoll’d by the Ancients. All Ages shall record, and Posterity bless Almighty GOD, for giving to us their Fore-fathers a King, in heart upright as David, wise as Solomon, and Godly as Josias.

‘ And who can better witness your Majesties Royal Favour and Beneficence, than this your good Town of Edinburgh, which being founded in the Days of that worthy King Fergus I. the first Builder of the Kingdom, and famous for her unspotted Fidelity to your Majesties most noble Progenitors, was by them enrich’d with many Freedoms, Priviledges and Dignities; all which your Majesty not only confirm’d, but also, with Accession of many more enlarg’d; beautify’d her with a new erected College, famous for Profession of all liberal Sciences, so that she justly doth acknowledge your Majesty the Author and Conserver of her Peace, her Sacred Physician, who binds up the Wounds of her distracted Common Wealth, the only *Magnes* of her Prosperity, and the true Fountain, from whence, under GOD, all her Happiness and Felicity floweth, and doth in all Humility record your Majesties Royal Favour extended to her at all Times.

‘ Neither hath the Ocean of your Majesties Virtues contain’d it self within the Precinct of this Isle :

‘ What Ear is so barbarous, that hath not heard of the
 ‘ Fame of your Majesty ? What foreign Prince is not
 ‘ indebted to your Sacred Wisdom ? What reformed
 ‘ Church doth not bless your Majesties Birth Day, is
 ‘ not protected under the Wings of your Sacred Au-
 ‘ thority from Antichristian Locusts, whose Walls, by
 ‘ the Sacred Wisdom wherewith your Sacred Person
 ‘ is endow’d, hath been batter’d and shaken more than
 ‘ did the Goths and Vandals the old Frame of the
 ‘ same by the Sword : And for your Sacred Virtue,
 ‘ your Majesty deserves to be Monarch of the World :
 ‘ So for your Piety and unfeigned Zeal, in propagat-
 ‘ ing and maintaining the Gospel, does, of due, apper-
 ‘ tain to your Majestie, the Titles of most Christian
 ‘ and Catholick King.

‘ For all which, your Majesties most Royal Favours,
 ‘ having nothing to render but that which is due, we,
 ‘ your Majesties most humble Subjects, prostrate at
 ‘ your Sacred Feet, lay down our Lives, Goods, Li-
 ‘ berties, and every Thing that is dear to us, vowing
 ‘ to keep to your Sacred Majesty, unspotted Loyalty
 ‘ and Subjection, and ever to be ready to consecrate
 ‘ and sacrifice our selves for Maintenance of your Royal
 ‘ Person and Estate, praying to the Eternal, our GOD,
 ‘ that Peace may be within your Majesties Walls, and
 ‘ Prosperity within your Palaces, length of Days to
 ‘ your Sacred Person ; that from your Majesties Loins
 ‘ may never be wanting one to sway the Scepter of
 ‘ these your Kingdoms, and that Mercy may be to
 ‘ your self and your Seed for ever.’

After the Delivery of this Speech, His Majesty went
 to the great Church, and there having heard Sermon
 from the Arch-Bishop of St. Andrews, Primate of all

Scotland, proceeded on His March to His Palace of Holy Rood-House. At the Gate of the Inner Court was presented to his Royal Hands, a Book in Manuscript, of curious and learned Verses in Greek and Latin, entituled *Academia Edinburgensis Congratulatio*, and a Speech made in Name of that University by Mr. Patrick Nisbet. Next Day, His Majesty was pleas'd to honour the University with His Presence at a Philosophical Disputation in the Oriental Languages, by the Professors of Philosophy, Mr. John Adamson, Mr. James Fairly, Mr. Patrick Sands, Mr. Andrew Young, Mr. James Reid, and Mr. William King. When the Exercise was over, His Majesty was pleas'd to compliment the Disputants in the following Poem, which by them was variously paraphrased in Latin.

“ As *Adam* was the first of Men, whence all beginning take,
 So *Adam-son* was President, and first Man of this Act.
 The Thesis *Fair-He* did defend, which tho' they lies contain;
 Yet were fair Lies, and he the same right fairly did maintain.
 The Field first entred Mr. *Sands*, and there he made me see,
 That not all Sands are barren Sands, but that some fertile be.
 Then Mr. *Young* most subtly the Theses did impugn,
 And kythed old in *Aristotle*, altho' his Name be *Young*.
 To him succeeded Mr. *Reid*, who tho' *Red* be his Name,
 Need neither for his Dispute blush, nor of his Speech think
 Shame.
 Last enter'd Mr. *King* the Lists, and dispute like a King,
 How Reason reigning like a Queen, should Anger under-
 bring.
 To their deserved Praise have I thus play'd upon their
 Names,
 And wills this College hence be call'd the College of King
 JAMES.

Manifold Honours the King put upon this his Good

Town of Edinburgh, in the Castle whereof he was born; as appears by the Inscription yet remaining in the Room, where his Mother, Queen Mary, was delivered of him, which runs thus.

"O JESU LORD, who crownit was with Thorn,
Preserve the Birth whais Badgie here is born,
And grant, O LORD, that whatever of her proceed,
May be unto thy honour and Glory. Soe beid."

His Majesty, by a Charter under his Great Seal, disposes to the Provost, Baillies, Town Council, and Community of the Burgh of Edinburgh, the Jurisdiction, Haven, and Harbour of Leith, and makes and constitutes them Judges amongst the Skippers, Masters and Mariners in Leith, and all other Skippers, Masters, and Sailors, as well his Subjects as Foreigners, being for the Time with their Ships, Boats, or Barks within the same Village of Leith, and Harbour of the same, in all Sea-fareing Actions and Causes whatsoever, with Power to them to make Acts and Statutes for the Increase of Sailing. And disposes to them the prime Gilt to be uplifted for sustaining of poor indigent Sea-Men within the said Village of Leith, forth of the Freight of every Tun of Goods, in manner specified in the said Charter, to be applied to the Use of the said Poor. This Charter is dated at Whitehall, 3d April 1616.

By another Charter under the great Seal, he confirms to the Magistrates, Town Council, Crafts, and Community of the said Burgh, and their Successors, all former Infestments granted to them by his Predecessors, of the heretable Offices of Sheriff-ship, Crownry, which contains a new Gift of the Sheriff-ship and Crownry within the said Burgh, common Mills there-

of, common Muir, Marish, Loch, Parts, Streets, common Ways, Passages, and Loanings, leading to and from the same; and especially the Passage leading to Leith upon both Sides of the Water thereof, and to the said Village of Leith, Haven of the samen, and within the Harbour and Village of Newhaven, and Village of Leith, Havens, Roads, Harbours, and Bulwarks thereof, and within the Lands of common Closets, Burshoif, Passages, and other Bounds whatsoever, lying within the Liberty of the said Burgh of Edinburgh. Dated at Whitehall, 3d April 1616.

By a Gift under his Great Seal, grants to the said Provost, Baillies, and Council, the Power of having the Sword carried before them, Riding of the Marches or Bounds thereof, and of the Office of Justice of Peace, in manner therein-contain'd. Dated at Whitehall, 10th November 1609.

By another Gift, he enlarges their Powers as Justices of Peace, in which they are infeft. Dated at Hamptoun Court, 25th September 1612.

By another Gift and Infeftment, grants to them all Fines and Ammerciaments belonging to the Office of Sheriff-ship and Justiciaries of Peace. Dated at Whitehall, 17th September 1613.

By another Charter under the Great Seal, disposes to them the Custom or Excise (and to their Successors) of Four Pounds Scots, forth of every Tun of Wine to be retailed and vented in Smalls within the said Burgh, Liberties, and Jurisdiction of the same, to be uplifted by their Treasurers, Collectors, and others in their Names, from the Retailers, Vintners, Tapsters, and Sellers of the same, in all Time coming. Dated at Whitehall, 10th November 1609.

By a Ratification of the said Gift, and new Disposi-

tion, he disposes the foresaid Custom and Excise of Four Pound, forth of every Tun retailed within the Village of Leith, in all Parts within the same upon the South side of the Water of Leith. Dated at Hampton, 25th September 1612.

By another under the Great Seal, Power to them and their Successors, to erect a Weigh-house at the Over-Tron of the said Burgh, with divers Liberties, Duties, and Immunities therein contained. Dated at Royston, 9th December 1611.

By a Charter under his Great Seal, disposes that Part of the Lands of Highrigs, containing 10 Acres of Land or thereby. Dated at Edinburgh, 30th July 1618.

By a Gift under his Great Seal, gives and grants the Jedgry of Salmon, Herring, and White Fish, packed and peill'd within the Kingdom of Scotland. Dated at Royston, 19th October 1618.

By another Gift under his Great Seal, the Power of being Overseers and Visitors of all Measurers and Sellers of Cloath, Stuffs, and Stockings made in the said Village of Leith, and Sherifffdom of Edinburgh. Dated at Whitehall, 8th March 1621.

By a Charter under his Great Seal, dated at Stirling, 14th April 1582, ratifying a Charter made by Queen Mary under her Great Seal, dated 18th March 1566, of the Lands, Tenements, Houses and Biggings, Churches, Chaplainries, Altarages, and Prebendaries, in whatsoever Churches, Chapels, or Colleges, within the Liberty of the said Burgh, founded by whatsoever Person, whereof the said Chaplain and Prebends were in Possession, with the Yards, Orchards, Annualrents, Teinds, Services, Profits, Duties, Emoluments which

pertained thereto, and of all Lands which pertained to the Black Friars and Gray Friars.

By another Charter he ratifies and approves the Demission and Ratification made by John Gib, in Favour of the said Burgh, of the Provostry of the Kirkfield, haill Lands and Biggings belonging to the same. And disposes the Liberty of a College, and repairing sufficient Houses for accommodating the Professors of Philosophie, Humanity and Languages, Theology, Medicine, Law, and all other Sciences; and electing sufficient Professors for teaching the said Professions; and for that Effect, disposed to them the Provostry of Kirkfield, with the Tenements, Fruits, Possessions, Rents, and Duties thereof.

By another Charter under his Great Seal, 4th April 1584, considering, That the Burgh of Edinburgh had been at great Expenses in erecting the said College, and had gifted great Sums for sustaining the Professors for instructing the Youth, he disposed to the Good Town, for the Use of the said College, and for Maintenance of the Principal and Regents, the Archdeanry of Lothian, containing the Parsonage of Curry, with the Manse, Glebe, and Kirk Lands, Teinds and Duties of the same.

By another Charter under his Great Seal, 26th May 1587, for the great Expences wared out by the Good Town, in erecting an Hospital for maintaining their Ministers, disposed to the Town the Provostry of the Trinity College, House-Rents, Kirk-Teinds, and Fruits thereto pertaining.

By another Charter under his Great Seal, 29th July 1587, Ratifies the Infeftments granted by himself and Queen Mary, his Mother, of the said Kirk-Lands, Trinity College, Provostry of Kirkfield, and Arch-deanry

of Lothian, for the Use of the Ministers, College, and Poor.

By another Charter under the Great Seal, dated at Bearboar Castle, 1612, Ratifies all former Grants of the said Kirk-Lands, Provostries of Kirkfield, and Trinity-College, and Arch-deanry of Lothian, with a new Gift of the saids hail Kirk-Lands, for maintaining the Ministers, College, and Poor.

Thus did that just and gracious Prince show his Beneficence to our Metropolis, as the wise King Solomon, in his Book of Ethicks, remarks, "When the Righteous are in Authority, the City rejoyleth; but when the Wicked bear Rule, the People mourn." And being a peaceful Prince as well as generous, he poured Oil into the Wounds of his People, and healed the growing Contentions betwixt the Merchants and Trades, by the subsequent Decreet-Arbitral.

AT Halyruidhouse, the Twenty two Day of Apryl, the Yeir of GOD One thousand five hundred fourscore three Years; We Robert Fairlie of Braid, Sir Archibald Naper of Edinbellie Knight, and James Johnstoun of Elphindstoun, Judges Arbitrators, chosen for the Part of Mr. Michael Chisolme, Andrew Sclater, John Adamson, and William Fairlie Baillies of Edinburgh, Mr. John Prestoun Dean of Gild, Mungo Russell Thesaurer, John Johnstoun, Robert Ker Younger, Henry Charters, John Morison, William Maul, John Harwood, John Robertson, William Inglis, Alexander Naper, William Nesbet, Merchants; being on the Counsel of the said Burgh, for themselves, and in Name and Behalf, and as Commissioners for the hail Merchants Indwellers of the said Burgh, on the one Part, and

John Cockburn of Ormestoun, Mr. Robert Pont Provost of the Trinity-Colledge, and Mr. David Lindsey Minister of Leith, Judges Arbitrators chosen for the Part of James Fergusone Bower, John Bairnsfather Tailyeour, twa of the Crafts-men, being on the Counsel of the said Burgh; Gilbert Prymrose Deaken of the Chirurgians, John Watt Deaken of the Hammer-men, William Hoppringle Deaken of the Tailyeours, Edward Galbraith Deaken of the Skinners, Edward Hairs Deaken of the Gold-Smiths, Adam Newtown Deaken of the Baxters, Thomas Dickson Deaken of the Furriers, Andrew Williamsone Deaken of the Wrights, William Bickertoun Deaken of the Maissons, James Ker Deaken of the Fleshers, William Weir Deaken of the Cordiners, Thomas Wright Deaken of the Websters, William Cowtts Deaken of the Wakers, and William Somer Deaken of the Bonnet-makers; for themselves, and in Name and behalf, and as Commissioners for the hail Crafts-men, Indwellers of the said Burgh, on the uther Part: And the right potent and illustre Prince, JAMES be the Grace of GOD, King of Scots, our Sovereign Lord, Ods-man and Overs-man, commonly chosen be Advice and Consent of baith the saids Parties, anent the removing of all Questions, Differences and Controversies, quhilks are, or hes been betwixt the saids Merchants, concerning whatsoever Cause or Occasion whereupon Debate or Question did arise in any Time betwixt them. And thereupon, baith the saids Parties being Bund, Oblist, and Sworn, to stand, abide, underly, and fulfil the Decreet-arbitral and Deliverance of us the saids Judges and Overs-man, but Appellation, Reclamation, or Contradiction, as at length is contained in ane Submission made thereupon, baith the saids Parties Clames and Grieffs given in be

them, with the Answers made thereto, and their Rights, Reasons, and Alledgances being heard, seen, and considered be us, and we therewith being ryply advysit, after many sundry Conventions and Meetings, with lang Travels tane hereanent, hes all in ane Voice accordit, decernit, and concludit, upon the Heads and Articles following.

First, To take away all Differences quhilk hes been heretofore, concerning the Persons who had the Government of the Town, their Number, Power, or Authority, and Manner of their Election ; It is finally accordit and decernit thereupon as follows.

MAGISTRATS.

THE Magistrats, sic as Provost, Baillies, Dean of Gild, and Thesaurer, to be in all Tymes coming of the Estait and Calling of Merchants, conforme to the Acts of Parliament ; and if any Crafts-man Exercise Merchandize, sall for his guid Qualities be promovit theirto, in that Caise he sall leive his Craft, and not occupy the same be himself nor his Servants during the Tyme of his Office, and sall not return theirto at any Tyme theirafter, quhill he obtain special Licence of the Provost, Baillies and Counsel to that Effect.

COUNSEL.

THE Counsel to consist of Ten Merchants, to wit, The auld Provost, Four auld Baillies, Dean of Gild and Thesaurer of the nixt Year preceeding, and Three Merchants to be chosen to them, and als to consist of Eight Craftsmen their of, Sex Deakens, and Two

uther Crafts-men, makand in the hail the said Counsel Eighteen Persons, and this by the Office-men of that Year, to wit, the Provost, Baillies, Dean of Gild, and Thesaurer.

ELECTION.

AND as to the Manner of their Election, It is first generally accordit and agriet, That na manner of Person be chosen Provost, Baillies, Dean of Gild, or Thesaurer, suppose they be Burgesses of the Burgh, and able therefore, without they have been ane Year or Twa upon the Counsel of before. And anent the Counsel, the suld Maner of giving in of Tickets be the Deakens, out of the quhilk the Twa Crafts-men were Yearly chosen, to be abrogat, cease and expyre in all Tymes coming, swa that the saids Twa Crafts-men shall be chosen Yearly without any Ingiving of Tickets indifferently; of the best and worthiest of the Crafts, be the saids Provost, Baillies, Dean of Gild, Thesaurer and Counsel allanerly, and nane to be on the Counsel above Twa Year together, except they be Office-men, or be Vertue of their Offices be on the Counsel. Sicklike, anent the Lytts to be Baillies, they sall not be dividet nor casten in Four Ranks, Three to every Rank, as they were wont to be; bot to be chosen indifferently, Ane out of the Twelff Lytts, Ane uther out of Eleven Lytts, the Third out of Ten, and the Fourt out of Nyne Lytts. Anent the Deakens, That nane be electit Deaken, except he that hes been an Maister of his Craft twa Year at the least: and that nane of them be continued in their Offices of Deakeniship above twa Year togidder. Last in general, That nane have Vote in. Lytting,

Voiting, Electing of the Provost, Baillies, Counsel, Deakens, Dean of Gild, or Thesaurer, but the Persons hereafter following, in manner after-specifiet.

Election in special of DEAKENS.

AND to proceed to the said Election; It is found guid to begin at the choosing of the Deakens of Crafts, quhilks are Fourteen in Number, to wit, Chirurgians, Goldsmiths, Skynners, Furriers, Hammermen, Wrights, Masons, Tailycours, Baxters, Fleshers, Cordiners, Websters, Wakers, Bonnet-makers; Swa the Deakens now present shall stand and continue quhil the third Counsel-day of before the auld Time of Election of the new Counsel, quhilk was on the Wednesday next preceeding the Feast of Michaelmas; upon the quhilk third Counsel-day, the Provost, Baillies, and Counsel now standand, extending to Nineteen Persons, and fra thence farth Yearly, and ilk Year, the Provost, Baillies and Counsel, constitute of the said Twenty Five Persons, sall call in before them the saids Deakens of Crafts, every ane severally, and inquire their Opinion and Judgement of the best and worthiest of their Crafts; Thereafter, the saids Provost, Baillies and Counsel, shall Nominat and Lytt three Persons of the maist Discreet, Godly, and Qualified Persons of every ane of the saids Fourteen Crafts, maist expert Hand-labourers of their awen Craft, Burgesses and Freemen of the Burgh of Edinburgh, whereof the auld Deaken shall be ane, and cause deliver their Names to the Deakens, every ane according to their Craft. Quhilk Deakens, on the Morn thereafter, sall assemble and conveyn their Crafts, and every Craft be themselves, furth of thir Names shall elect ane Person wha

sall be their Deaken for that Year; and, upon the next Counsel-day after the said Election, the auld Deakens, with some of the Masters of their Crafts, sall present the new Deakens to the Counsel, quha sall authorise them in their Offices.

New Counsel of DEAKENS.

NExt, To proceed to the Election of the New Counsel. The said Day of presenting of the new Deakens, the Provost, Baillies, and Counsel now standand of Nineteen Persons, and fra then furth, the said Day yearly; The Provost, Baillies and Counsel, of Twenty five Persons, sall choose furth of the saids fourteen Deakens, Sex Persons to be adjoined with the new Counsel for the Year to come, and to have special Vote in lytting and choosing of the Provost, Baillies and Counsel; and the same Day, the auld Sex Deakens quhilk was upon the Counsel the Year preceeding, to be removed, and have na farther Vote for that Year, except some of them be of the Number of the new elected Deakens.

New Counsel of MERCHANTS and CRAFTS.

THereafter, Upon the Wednesday next, preceding Michaelmas ilk Year, the Provost, Baillies, Dean of Gild, Thesaurer, and Ten Merchants of the Counsel, and the said Sex Deakens, and twa Crafts-men, and in the hail Twenty five Persons, and Twenty sex Votes, be Reason of the Provost's twa Votes ordinarily standand at all Tymes, sall convene and choose the new Counsel, to the Number of Eighteen Persons, to wit, the auld Provost, Baillies, Dean of Gild and The-

saure of that Year, and the said Sex Deacons, to make Thirteen Persons thereof, and to them to be chosen Three Merchants, and Twa Crafts-men, and thir Persons to be callit the New Counsel; And if any Person of the Merchants chosen upon the New Counsel, happens to be put on the Lytte of ane uther Office, and promovit thereto, an uther sall be chosen in his Room be the saids Provest, Baillies, and Counsel.

Lytts of MAGISTRATS.

THirdly, To proceed to the choosing of the Lytts to the Magistrats and Office-men, sic as Provest, Baillies, Dean of Gild and Thesaurer, upon the Friday nixt thereafter, there sall convene the said New Counsel of Eighteen Persons, and the Auld Counsel constitute of Twelff Persons, viz. Ten Merchants, and Twa Crafts-men, and in the hail Thretty Persons to the Provest's odd Vote; quhilks Persons so solemnly protesting before GOD, that they sall choose the Persons whom they find maist meet, without Favour, Hatred, or any Kind of Collusion; then sall begin and choose the Lytts to the said Magistrats and Office-men, to every ane of them three Lytts; that is to say, to the Provest, twa Lytts with himself; to the four Baillies, every ane of them three Lytts, the auld Baillies not beand ane, except they be new chosen thereto; to the Dean of Gild, twa Lytts with himself; and to the Thesaurer, twa Lytts with himself: Quhilks hail Lytts sall be of the Order and Calling of Merchants, as said is.

Election of MAGISTRATS.

FOurthly, To proceed to the electing and choosing of the said Magistrats and Office-men ; Upon the Tuesday nixt after Michaelmass yearly, there sall convene the saids thretty Persons, of new and auld Counsel, and with them the rest of the Deakens of Crafts quhilks are not of the Counsel, extending to Eight Persons : the hail Persons swa conveyend, extending to Thretty eight Persons by the Provost's odde Vote, whereof Twenty Merchants, and Eighteen Crafts-men ; quhilks Persons sall begin at the Lytts of the Provost, and every one in their awen Rank, give their Votes to sic as they find meet for the weill of the Town, according to their Conscience and Knowledge, but feid or Favour ; and on whom the greatest Number of Votes sall fall, that he be sworn, receivit and admittit Provost for that Year ; and swa to proceed throw the Lytts of the Baillics, Dean of Gild, and Thesaurer, quhill the said Election be compleatly endit. The saids Provost, Baillics, Dean of Gild, Thesaurer, and Counsel, electit, as said is, makand in the hail Twenty five Persons ; they only, and nae uthers, sall have the full Government and Administration of the hail Common-weal of this Burgh, in all Things, as the Provost, Baillics, and Counsel thereof, or of any uther Brugh had of before, or may have hereafter, be the Laws or Consuetude of this Realm, Infeftments and Priviledges grantit to this Town be Our Sovereign Lord's maist Noble Progenitors, exceptand always thir Causes following, in the quhilks the hail Fourteen Deakens of Crafts sall be callit and adjoined with them, to give their special Vote and Consultation thereinto, to wit, In Election of the Provost, Baillics, Dean of Gild, and

Thesaurer, as said is, In setting of Fews, or any manner of Tacks, attour the yearly Rowping, on Martin-mass Even, In giving of Benefices, and uther Offices in Brugh, In granting of Extents, Contributions, Emprimits, and sicklike bigging of common Warks, and in disposing of the Common-Good, above the Sum of Twenty Pound togiddar.

Wairning of the DEAKENS and COUNSEL.

PROviding nevertheless, that the Deakens not of the Counsel, or any of them, beand personally warned to that Effect, and absenting themselves, swa oft the last Deaken, or any uther that was in Lytt with him that Yeir, shall supplie their Room; and they beand personally warned, and absent, the rest compearand sall have Power to proceed. If any of the Provest, Baillies, and Counsel be absent, the rest wha are present sall choose an uther in their Room. And to avoid all Suspicioun that hes risen in Times past, through the particular Assemblies and Conventiouns, contrair to the Acts of Parliament, and to the Trouble of the Quayet Estait of this Brugh.

CONVENTIOUNS.

IT is agreit and concludit, that nather the Merchants among themselves, nather the Crafts and their Deakens, or Visitors, sall have, or make any particular, or general Conventions, as Deakens with Deakens, Deakens with their Crafts, or Crafts among themselves, far less to make privat Laws, or Statutes, Poynd and Distrenzie at their awen Hands for Transgressions, by the Advice and Consent of the Provest, Baillics, and Counsel.

DEAN of GILD may conveen his COUNSEL.

EXceptand always, that the Dean of Gild may assemble his Brethren and Counsel in their Gild Court, conform to their ancient Lawes of the Gildrie, and Priviledges thereof: And that any ane Craft may conveen together among themselves, for the choosing of their Deakens at the Tyme appointit thereto, and in manner before exprest; making of Masters, and trying of their Handie-wark allanerly. And if any Brethren, or Deakens of Crafts, sall find out, or devyse any good Heids, that may tend to the Weill of their Craft, they sall propone the same to the Magistrates, wha sall set forward an Act or Statute thairupon.

COMMISSIONERS.

I^{tem}, As tuitching the Commissioners in Parliament, General Counsel, and Commissioners in Convention of Burrows, it is thought guid be the Commissioners, that in all Tymes coming, the ane of the saids Commissioners for the Brugh of Edinburgh, sall be chosen be the said Provest and Baillies, furth of the Number and Calling of the Crafts-men, and that Person to be ane Burgess and Gild-Brother of the Brugh, of the best, expert and wise, and of Honest Conversation.

AUDITORS.

I^{tem}, It is agreed, that the Auditors of all the Towns Compts sall hereafter be chosen of equal

Number of Merchants and Crafts-men, be the Provest, Baillies, and Counsel.

GILDRIE.

*I*tem, Toward the long Controversies for the Gildrie, it is finally, with common Consent appointit, agreit and concludit, That als weill Crafts-men, as Merchants, sall be received and admitted Gild-Brether, and the ane not to be refusit, or secludit therefrae mair nor the uther, they being Burgesses of the Burgh, als meit and qualified thairfore; and that Gild-brether have Liberty to use Merchandice. Their Admission, and Tryal of their Qualificatioun, to be in the Power and Hands of the Provest, Baillies, Thesaurer, and Counsel, with the Dean of Gild, and his Counsel, quhilk sall consist in equal Number of Merchants and Crafts men, Gild-brether, not excoiding the Number of sex Persons, by the Dean of Gild himself; and that no Person, of what Faculty soever he be, sall bruik the Benefit of an Gild-Brother, without he be receivit and admittit thereto, as said is.

BURGESSES, CRAFTS.

*I*tem, That na manner of Person be sufferit to use Merchandice, or occupy the Handie-wark of ane free Crafts-man within this Burgh, or yet to exerce the Liberty and Priviledge of the said Burgh, without he be Burgess and Free-man of the same.

EXTENTS.

*I*tem, Because the Merchants and Crafts-Men of this Burgh, are now to be Incorporat in ane Society, and to make an hail Town, and an Common-weill, it is thought guid and expedient, and concludit, to abroga

the former Custome of dividing and setting of Extents, wherein the Merchants payit Four Pairts, and the Crafts the Fift Part. And therefore it is agried, that as they watch and waird together : Swa in all Extents, Emprimits, Contributions, and the like Subsidies to be imposit upon the Brugh, Merchants and Crafts-men to bear the Burden and charge thereof indifferently overheid, according to their Ability and Substance, throw the hail Quarters of the Town, without Division of the Rolls in Merchants and Craftsmen in any Tyme coming; the Extentours sall be of equal Number of Merchants and Crafts-men, eight Persons of the ane Calling, and eight Persons of the uther, to be electit sworn and receivit be the Provest, Baillies, and Counsel, out of the maist Discreit and Skilful of all the Town, void of all partial Affection and Hatred : And that nae Person usand the Trade of Merchant or Crafts-man, and occupyand the friedome of the Brugh, and able to pay any Extent, not beirand the Office of Provest or Baillies in the mean Time, sall be any wayis exemit frae the real and actual Payment thereof.

COLLECTIONOUN.

*I*tem, As the hail Body of the Town, consistand* of Merchants and Craftsmen, does beir an common Burden of Watching, Wairding, Extenting, and of the like publick Charges, having an Commoun Good proper to nane, swa neidful it is for making an equal Unity, and charitable Concord, that there be in the hail Town but an Collection, and an Purse, not peculiar to any, bot common to all, of the hail Duties and Casualties, callit the Entres Silver of Prenteissas, Upsetts, Owkly Pennies, Unlaw, and sicklike, to be collectit in all Tyme coming, and received baith of Mer-

chants and Crafts-men, and put in an common Purse and to that Effect the Merchants to take and have Prentices, als weill as Crafts-men, and to be astrictit and obleist theirto, and na Prentice alwayes to be received of ather of them, for shorter Tyme nor the Space of fyve Yeirs compleit. And for the better Knowledge to be had heirof, and for observing an good Ordour in Collectionoun of the same, that there be an commoun Book made, keipit be the commoun Clerk of this Brugh present, and to come, wherein the Names of all Prentices to Merchants, and Craftsmen, the Name of their Master, Day of their Entreis, and Space of their Prentiship, sall be insert and buikit: For the quhilk, the Clerk sall have at their Buiking of ilk Person, sex Pennies, and for the Out-draught Twelff Pennies; quhilk Buik sall be to the Prentice an sufficient Probatioun of his Entres, and an Charge to the Collectors of the said Dewties. If any Man be an Prenteis heireafter, and not put in the said Buik, his Prenteiship sall be to him of na Effect. Als wa, be Reason every Industry is not of like Valour and Substance, it is declairit what ilk Rank or Degree of Prenteisses sall Pay, to wit, the Merchant Prenteis, and sic Kind of People as were wont to extent with them, and are not under an of the said Fourteen Crafts, to pay at his Entres the Day of his Buiking, to the said Collection Thirtie Shilling, and at his Upsett, or End of his Prenteiship fyve Pund. The Prenteis to an Skinner, Chirurgeon, Gold-Smyth, Flesher, Cordiner, Tailyeour, Baxter, and Hammer-man, at their Entry and Buiking, to the said Collectionoun Twenty Shilling, and for their Upsett fyve Pund: The Prenteis to an Masoun and Wright, at his Entrie thretteen Shilling four Pennies, and his Up-sett, three Pund sex

Shilling eight Pennies. The Prentis to an Webster, Waker, Bonnet-Maker, Furrier, at his Entry, ten Shilling, and for his Up-sett fyftie Shilling; and thir Dewties to be tane by their owkly Pennies, and Dewties of their Burgeships. And to cause all Persons to be mair willing to enter themselves in Prentiship with the Burgeses and Friemen of the Brugh, this Priviledge is grantit to the saids Prentiseis, That they sall pay nae mair for their Burgeship to the Dean of Gild, but fyve Punds by the Dewties feirsaid: And in Augmentatioun of the said Collectioun, when any Persons sall happen to be made Burgeses of this Brugh, wha was na Prentis to an Merchant, or Craftsman, frie Burgess of the said Brugh, or hes not compleit his Prentiship, sall pay to the said Collectioun, at his Admissioun, the double of the hail Prentis or Entres-Silver, Up-sett and Bailing, by the Dewty payit to the Dean of Gild for his Burgeship, or Gildrie, quhilk is twenty Punds for his Burgeship, and fourty Pund for his Gildrie, the Priviledge always of the Bairns of Burgeses and Gild-Brother not being prejudged heirby, quha sall pay the auld and accustomed Dewty to the Dean of Gild allanerly. Thir Dewties and Collectiouns, or Casualities of Entres-Silver, Up-setts, owkly Pennies, Un-laws, and sik-like, to be receivd in all Times coming, of all Merchants and Crafts-men indifferently, put in the said common Purse, and implot be the Advice and Command of the Provost, Baillies and Counsel, for Support and Relief of the failyist and decayet Burgeses and Crafts-men, their Wyfes, Bairns, and auld Servants, and uther poor Indwellers of the Town. The Provost, Baillies, Counsel, and hail Deakens, every Year after Election of the Magistrates, sall choose the Collec-

tors of the said Dewties and Casualties, of equal Number of Merchants and Crafts-men, and to devyse and set down sic good Ordour as they sall find meet and expedient for the perfyte and readie In-bringing thereof. And last, the said Collectors sall make yeirly Compts of their Intromissioun therewith, at the Tyme of making of the Town's Compts, and sall find sufficient Cautioun at their Admissioun, for Compt, Reckoning and Payment. *Item*, It is ordained, that baith the saids Parties, Merchants and Crafts-men now present, and their Successors, sall inviolably observe, keip, and fulfill this present Appointment and Decreet Arbitral, and every Heid, Clause, and Article conteinit therein. Likeas, His Majesty, and the saids Judges, wills and ordains them, with willing Hearts, to put in Oblivion all bypast Enormities, imbrace and intertein Love and Amity, and as they are of ane City, swa to be of ane Mind; then sall they be acceptit of GOD, stop the Mouths of them quhilk tuik Occasion be their Division to slander the Truth; then sall they be mair able to do our Sovereign Lord acceptable Service, and have ane standing and flourishing Common-Weall. And finally, His Majesty and the saids Judges will esteem their lang Travels fruitfully bestowit.

CERTIFICATION OF THE SETT.

ATtour, His Majesty and the saids Judges, Ordains the Practice and Execution of this present Appointment and Decreet to be and begin after the Day and Date hereof, and to continue, and be observit and keipit as ane perpetual Law in Tyme coming; and whasoever contraveins the samen, sall be repute and halden ane Troubler of the quiet Estate of the Com-

mon-weal, incurre the Note of Infamy, and forfait and tyme their Freedome for ever, and otherways to be persewit and puniaht as seditious Persons, conform to the Laws of the Realm, with all Rigor and Extremity; and ordains thir Presents to be Ratified and Approvit in his Highness next Parliament; and in the mean Tyme, the same to be Actit and Registrat in the Buiks of Counsel and Session, and to have the Strength of Acts and Decrees of the Lords thereof, and that their Authority be interponit thereto, and Letters and Executorials to pass thereupon, in Form as effeirs: and for acting and registrating of the samen, Makes and constitutes M^{rs} John Sharp, John Prestoun, Thomas Craig, and John Skeen, our Procurators, conjunctly and severally, *in uberiore forma Promittendo de rato*. In Witness whereof, the saids Judges and Oversman, togidder with the saids Commissioners, in Token of their Consents and Acceptation of the Premisses, has subscrivit thir Presents with their Hands, Day, Year, and Place foresaids.

JAMES R. &c.

All the Charters and Donations in favours of the Town of Edinburgh, granted before and since the Union of the Two Crowns of Scotland and England, were confirmed by the succeeding Monarch, CHARLES I. Whose Charter of Confirmation narrates, ' That calling to his Royal Memory, and perfectly understanding the many good, notable, and thankful Services perform'd by the Magistrates and Inhabitants of Edinburgh, the chief City and Burgh of the Ancient Kingdom of Scotland, not only to himself since his happy Accession to the Kingdom, but also to his dearest Father of Eternal Memory, and his other

' most Famous Progenitors, the particular and notable
 ' Expressions whereof, are contained in the ancient
 ' Infeutments granted to them by his Predecessors of
 ' Eternal Memory; which remain to Posterity, as
 ' Signs of their Fidelity, and great and egregious Ser-
 ' vices done and performed by them, for the Good and
 ' Honour of the Kingdom: Therefore, confirmed,' &c.
 And did grant to the Magistrates of the said Town
 and Successors, the presenting and nominating of Mi-
 nisters, for serving the Cures in the haill Churches
 built, or to be built within the said Town, with the
 Right of patronage of the said haill Kirks in all Time
 coming. As also, confirmed to them, the said City,
 Town-Walls, Ditches, Ports, Streets, Passages, Paths,
 Lands, Territories, and Community of the same, with
 the common Lands, called the Common Muir, Easter
 and Wester, and common Mire thereof; together with
 the South Loch, called the Burrow Loch, and the Loch
 of the said City called the North Loch, with the Lands,
 of old called the Greenside, with the Leper-house and
 Yard situate on the same, arable Lands, Banks, and
 Marishes thereof, for the present occupied by the Le-
 pers of the said House. And granted to the said
 Burgh, the sole Liberty of Merchandice pertaining to
 a Free Royal Burgh, within the Bounds of the She-
 riffdom of Edinburgh, and the Privileges of Weekly
 Markets every Monday, Wednesday, and Friday, or
 any Three Days of the Week that they shall appoint,
 with two Yearly Fairs, viz. Hallow-Fair and Trinity-
 Fair, with the haill small Customs, according to Use
 and Wont, especially the Sheriff Fee and Sheriff
 Glaves. And thereby enacted the Village of Leith
 into a Burgh of Barony, with Power to the Magis-
 trates of Edinburgh to choice Bailies and Officers

therein, and making laws for governing thereof. Which Charter is dated at Newmarket, 23d October 1636, and 12th Year of his Reign, before Witnesses, the most Reverend Father in Christ, and his well-beloved Counsellor, John, by the Mercy of GOD, Archbishop of St. Andrews, &c. Primate and Metropolitan of the Kingdom of Scotland, &c. his Chancellor; his well-beloved Cousin and Counsellor, James Marquess of Hamilton, Earl of Arran and Cambridge, Lord Aven and Innerdale, &c. Thomas Earl of Haddington, Lord Binning and Byris, Keeper of the Privy Seal; William Earl of Stirling, Viscount of Canada, Lord Alexander of Tullibody, &c. his Secretary; his well-beloved familiar Counsellor, Sir John Hay of Barro, Clerk to his Council, Registers, and Rolls; John Hamiltoun of Orbistoun, Justice-Clerk; and John Scot of Scots-tarvit, Director to his Chancellary, Knights.

These Charters shew the pious Care and Compassion of our Sovereigns for the Poor; And here, I were very unjust to our Mother City, as well as to the Memory of that Great, Good Man, GEORGE HERIOT, Burgess and Goldsmith of Edinburgh, Jeweller to the Two Renown'd Princes, JAMES VI. and this King CHARLES; if I should forget his pious Mortification to the Poor, and the magnificent Fabrick which he erected for their Hospital, Anno 1627. The Mortifications I have formerly mentioned relating to St. Eloi and St Mungo's Altars, flowed rather from Self-Interest than Charity, the Patrons believing, by their Donations, to merit Heaven, as the Charity expresses it, (such is the blindness of Popery) and claimed it as purchas'd and paid for: But this Protestant Founder was a Stranger to the uncouth doctrine of Merit. He knew that Salvation is the Gift of GOD thro' CHRIST

JESUS; That good Works are the Fruit and natural Result of Faith; That rich Men are the Stewards of GOD's Goodness, the Messengers of His Favours, the Conduit-pipes of his Liberality; and therefore, in the Statutes of the Hospital, *Caput de Fundatore Hospitali*, Statutes, That on the first Monday of June every year, Thanks be given to GOD in the Gray-Friar's Church, for the charitable Maintenance which the Poor maintained in the Hospital, receive by the Bounty of the Founder; and that the preacher exhort all Men of Ability to follow his Example, to urge the Necessity of good Works for the Testimony of their Faith; and to clear the Doctrine of our Church from the Reproaches of Adversaries, who give us out to be the Impugners of good Works.

The Fundamental Institutions of this Hospital were, at the Desire of the Founder, compil'd by the Reverend Doctor Walter Balcanquhall, Dean of Rochester, who left considerably to it himself.

If GOD Records Bezaleel and Aholiah, two Goldsmiths and Jewellers, Exod. xxxi. for their curious Workmanship in the Tabernacle, we ought certainly to Record a Goldsmith and Jeweller, who not only excell'd in Architecture, Sculpture, and Engraving; but Dedicated a Palace, and Prince's Revenues to the LORD, Psal. cxii. 9. "He hath dispersed, he hath given to the Poor, his Righteousness endureth for ever, his Horn shall be exalted with Honour."

The greatest Part of this stately Edifice is Gothick Work; but the Frontispiece is adorn'd with stately Pillars of the Corinthian and Dorick Order, with various Groups of Figures, two of which are very curious, a Company of School Boys, in the Habits appointed by the Founder, under the Ferula of their Preceptors,

with this Motto, extending to the Face of the Teachers, *Sic vos deus, ut vos eos* ; and the other, the Scholars round the Table at Dinner, this Inscription above their Heads, out of the Poet Virgil, *Deus nobis hæc otia fecit*. Above this, the Arms of the Founder ; within the Porch above the Entry, in a Nich, the Statue of the Patron, above his Head this Motto, alluding as well to the Building, as to the Builder : *Corporis hæc, Animi est hoc Opus Effigies*.

The Entry of the Chapel beautify'd with Pillars of the Teutonic Order, and a large Bible engraven in Stone, above which is this Inscription.

*Aurifici dederat mihi vis Divina perennem, & facere in
Terris, in Cælo & Ferre*

Below an artificial Crown, which supplies the Word *Coronam*, the Sentence being design'd for an Ænigma.

Thus far have I trac'd the Loyalty of the Citizens, and shall proceed no further ; but draw a Vail of Silence over the Behaviour of the City of Edinburgh, during the rest of the Reign of this unfortunate Prince. Since, the Crafts hitherto loyal, folded up their Ensign the Banner, or Blue Blanket of the Holy Ghost, when factious Sectaries were triumphant, and Majesty was in Misery, falling a Victim to the Cruelty of the then Sectarians, by whose impious Hands he was brought to the Block.

FINIS.

JOHN PILLANS, PRINTER, EDINBURGH.

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